

## **Tendring District Council Publication Draft Local Plan**

### **Representations on behalf of G & M Lord and Son – Land to the south of Weeley Road, on the eastern edge of Great Bentley.**

#### **STATEMENT**

Andrew Martin - Planning Ltd (AM-P) acts on behalf of G M Lord and Son, the owner of land to the south of Weeley Road on the eastern edge of Great Bentley (see site location plan at appendix 1).

As the Local Plan for Tendring has emerged it has been recognised that around 11,000 new homes will need to be provided over the plan period to 2033. Furthermore, a large amount of greenfield land will have to be identified to meet this target.

The Draft Publication Plan proposes a spatial strategy for growth that relies upon a new Garden Community on land that straddles the district boundary with Colchester, to meet a significant part of its housing need in the plan period and beyond, as well as other large sites principally in the strategic urban settlements such as Clacton-on-Sea, Harwich and Dovercourt. These large-scale proposals are subject to long lead-in times. There are significant constraints to development which will mean that they cannot deliver homes in the early years of the plan. Consequently small and medium sized sites will need to be brought forward in order to ensure that the Council can demonstrate a 5-year housing land supply.

The Council's housing trajectory indicates that some 5,015 homes can be built on large sites with planning permission. Many of these are historic permissions dating back over the last six years or more. In its Authority Monitoring Report of January 2017 the Council considered that realistically the supply from these sites in the next five years would be 2191 dwellings. As a result the Council concluded that it could only provide a 3 year housing supply against its five-year housing requirement of 2,750. Some five months later in June 2017, in advance of the publication of the Draft Local Plan, the Council concluded that it could provide over five years supply. This stems from a change of view on how much of the 5,015 provision on large sites with planning permission will come forward in the next five years. The estimate is increased from 2191 to 3625 and results in the Council taking the view that there is now a 5.1 year supply. We submit that there is not sufficient evidence to support the Council's assumptions for this change and more detailed analysis is required of the individual planning permissions to confirm a realistic figure, and consequently the true level of supply that exists against the housing target.

In the interim it is clear that small and medium size sites are required to come forward to assist in meeting the Council's needs in the early years of the plan. A proposed spatial hierarchy for growth set out in the emerging plan, includes smaller urban settlements as well as rural service centres such as Great

Bentley, where development is encouraged to support the existing community and encourage young people to stay.

There has been an influx of proposals for the small urban settlement of Weeley and this has attracted a disproportionate objection to the emerging Local Plan. We submit that the rural service centre of Great Bentley represents an alternative highly sustainable location for growth that is well placed to cater for housing need in the short term. It has a railway station and is well served by public transport. A good range of services and facilities are provided in the centre including shops, employment, a primary school and doctor's surgery. A wider range of facilities are available in the larger centres of Colchester and Clacton, which are six to eight miles away and both are accessible by rail. The expansion of this settlement would accord with the National Planning Policy Framework, which encourages sustainable development in the rural areas to maintain and enhance their vitality. Growth in Great Bentley would also meet the objectives of the emerging Draft Plan which promotes new development *"where it will provide the opportunity for people to satisfy their day-to-day needs for employment, shopping, education, and other services locally or in locations which minimise the need to travel and where there are modes of travel available in addition to the use of car"*.

The settlement of Great Bentley is a sustainable location for the accommodation of growth in housing and jobs to meet the objectives of the emerging Local Plan for Tendring. It is classified as a 'rural service centre' where new housing will be appropriate to assist in meeting the overall needs of the district, will address local housing needs and support the village economy. Land to the south of Weeley road, on the eastern edge of the settlement is well related to the existing pattern of development and is contained by defensible boundaries. The railway line lies to the south of the site, existing residential development to the west and further residential development to the north beyond Weeley Road. Proposed development on this site would not impact on the strategic gap between settlements. The land to the east of Great Bentley has no function in terms of separating urban areas, and planned development would not lead to unchecked sprawl. As stated above the settlement contains a good range of services and facilities and is connected to larger centres by rail services.

The evidence base to the Local Plan (Strategic Housing Land Availability Assessment, October 2014), found that although the site has been promoted for development, there had been no serious interest from the landowner or a developer. Consequently doubts were raised over the site's suitability regarding connections to the existing built up area and the provision of safe access to the site. At that time some 2.5 hectares of this 13 hectare site was considered for the provision of 45 homes. A larger scheme for 235 dwellings had previously been considered. The SHLAA found that there were "no irresolvable issues" to this land coming forward for development. We advise that this site is now actively being promoted and that development of the site is suitable, available and achievable.

## **Section 1 – Strategic Plan for North Essex**

### **Policy SP1 – Presumption in Favour of Sustainable Development**

*Legally compliant* – Yes

*Duty to Co-operate compliant* – Yes

*Sound* – Yes

*If not sound, on what grounds?* n/a

*Representation:*

Support is extended for the presumption in favour of sustainable development and the Local Plan's approach towards considering development proposals. This accords with the National Planning Policy Framework (NPPF) (2012).

*Changes required:*

None.

## **Policy SP2 – Spatial Strategy for North Essex**

*Legally compliant – Yes*

*Duty to Co-operate compliant – Yes*

*Sound – Yes*

*If not sound, on what grounds? n/a*

*Representation:*

Policy SP2 sets out a Spatial Strategy for North Essex and identifies that:

*"Existing settlements will be the principal focus for additional growth across North Essex within the Local Plan period. Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area..."*

*"Each local authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs..."*

Support is extended for this approach, which should ensure that the most sustainable settlements in the district accommodate the bulk of the additional growth envisaged in the Local Plan for Tendring.

*Change required:*

None.

### **Policy SP3 – Meeting Housing Needs**

*Legally compliant – Yes*

*Duty to Co-operate compliant – Yes*

*Sound – Yes*

*If not sound, on what grounds? n/a*

#### *Representation:*

Support is extended for the overall objectively assessed housing need figure (i.e. 11,000 dwellings between 2013 and 2033), for Tendring District, set out in Policy SP3. This is consistent with Tendring District Council's evidence base.

It is also noteworthy that the second paragraph in Policy SP3 expects each local authority to maintain a sufficient supply of deliverable sites to provide for at least five years' worth of housing, consistent with paragraph 47 of the NPPF. However, subsequent parts of the Tendring Local Plan Publication Draft and in particular Policy LP 1 (and supporting evidence base) fail to do this.

This matter is addressed further in separate representations made to Part 2 of the Tendring Local Plan Publication Draft.

#### *Change required:*

None.

## **Policy SP7 – Development & Delivery of New Garden Communities in North Essex**

*Legally compliant – Yes*

*Duty to Co-operate compliant – Yes*

*Sound – No*

*If not sound, on what grounds?* The principle of development and delivery of new Garden Communities is sound but specific objection is raised in respect of the new community proposed on the Colchester Borders.

### *Representation:*

Support is extended to the principle of new Garden Communities in order to meet objectively assessed housing need in the North Essex local authority areas. Support is extended on the basis that the spatial strategy for growth in Part 2 of the Plan for Tendring, directs growth in accordance with a settlement hierarchy that prioritises locations with access to the strategic road network, public transport and which have the potential to offer the widest range of services. Garden Communities will be required in the next tier of growth to cater for housing need in the plan period and beyond.

However, specific objection is raised to the proposed Garden Community that straddles the districts of Tendring and Colchester (the Colchester Borders Garden Community). Given the long lead in times expected, it is unlikely to deliver the projected number of dwellings that are proposed in the plan period.

### *Change required:*

Improve the flexibility of the plan by identifying additional sustainable housing sites in accordance with the spatial strategy for growth set out in Part 2 of the Plan for Tendring.

### **Policy SP8 –Tendring/Colchester Garden Community**

*Legally compliant – Yes*

*Duty to Co-operate compliant – Yes*

*Sound – No*

*If not sound, on what grounds?* Not justified, not effective and not consistent with national policy

#### *Representation:*

Objection is raised to Policy SP8, which identifies a broad location on the borders of Tendring and Colchester for a new Garden Community of circa 7,000-9,000 new homes, of which 2,500 dwellings are deemed to be deliverable within the plan period. The number of homes attributable to Tendring, within the plan period, is 1,250.

The proposed new Garden Community will necessitate the preparation of a site-specific DPD in order to allocate the specific site and before any planning permission can be granted, free from the risk of call-in by the Secretary of State. This could lead to lengthy timescales and delay.

#### *Change required:*

Identify additional sustainable housing sites in accordance with the spatial hierarchy for growth set out in Part 2 of the Plan for Tendring. This will boost housing supply in the early years of the plan period. To achieve this a number of small to medium size sites will need to be identified, such as land to the south of Weeley Road in the settlement of Great Bentley.

## **Section 2 – Local Plan for Tendring**

### **Policy LP 1 - Housing Supply**

*Legally compliant –*

*Duty to cooperate –*

*Sound – No – Not justified, not effective and not consistent with national policy.*

*If not sound, on what grounds?*

The Council has set a housing target of 11,000 new homes to be provided over the plan period 2013 – 2033. This is based on an annual housing requirement of 550 homes as advised by Peter Brett Associates in the preparation of a joint Strategic Housing Market Assessment (SHMA) for the local authorities of Tendring, Colchester, Chelmsford and Braintree. The PBA assessment finds that a range of dwellings is required from 550-600 units. We therefore support the policy, which treats the figure of 11,000 as a ‘minimum’ dwelling requirement.

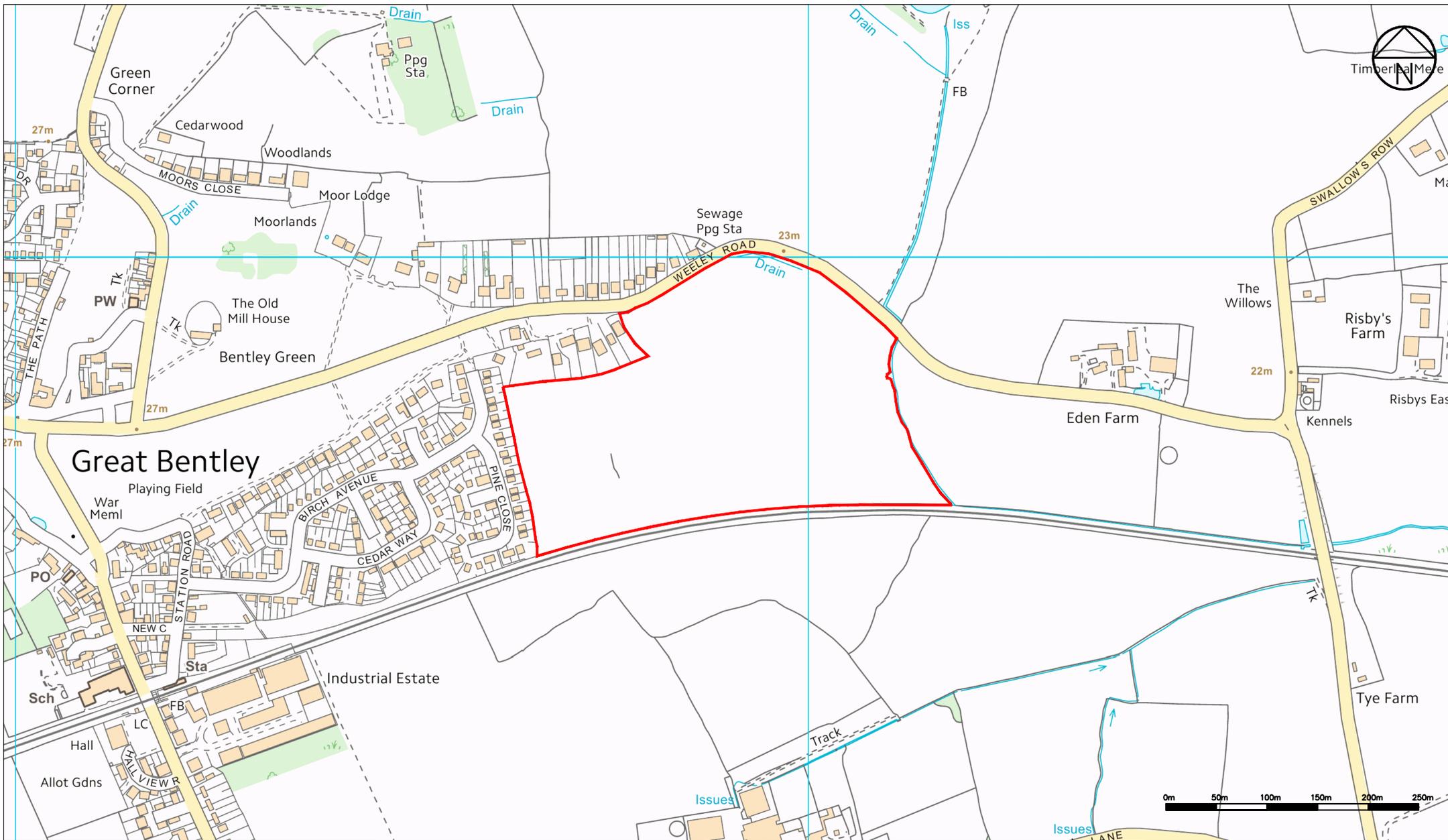
Objection is raised to the proposed sources of supply. We submit that overly optimistic assumptions have been made about sites with planning consent (both large and small). There is a lack of evidence to inform the assumption that 6178 homes will come forward on these sites. These unreliable sources comprise 51% of the housing supply over the plan period, and cast considerable doubt about the deliverability of the spatial strategy for growth in Tendring.

There is also a failure to demonstrate that the strategic allocations, which include very large developments on the periphery of Clacton, Dovercourt and Weeley, and the Garden Community proposed for the Tendring/Colchester border (3480 units and 29% of the overall supply), can be delivered in the plan period. These are complex schemes that have been the subject of considerable objection as the Local Plan has emerged. By way of example the EDME site in Mistley (Policy SAMU1) is a thriving UK malted ingredients producer. Policy LP 1 assumes that this will become vacant in the plan period and provide at least 150 homes. The site is beset with numerous obstacles to development including environmental designations such as its location in the Conservation Area and impact on nature conservation including a Special Protection Area and Ramsar site based on the Stour and Orwell Estuaries. There is also currently insufficient capacity available in Clacton for the treatment of foul water, needed to support several large sites proposed for the development of 2,350 homes on the periphery of the urban area. Major infrastructure works are required to resolve this issue. In addition the sites have other key physical and environmental constraints to delivery.

*Change Required:*

Preparation of further evidence base assessment, to confirm that the sources of supply in Policy LP 1, can genuinely be delivered in the plan period. The inclusion of a number and range of smaller sustainable sites such as land to the south of Weeley Road in Great Bentley, to improve the flexibility and viability of the plan.





Title		
Location Plan Land to the south of Weeley Road, on the eastern edge of Great Bentley		
Drawing Number	Revision	Revision Detail
17018_01		
Drawn by	Date	Scale
CH	07/17	1:5000@A3

Andrew Martin  
Planning



Planning Design Development

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# GUIDANCE NOTES

## & RESPONSE FORM

to accompany the Publication Draft Local Plan (2017)

**Please read these guidance notes before completing the response form**

### Introduction

Braintree District Council, Tendring District Council and Colchester Borough Council, have each published their own Publication Draft Local Plan for consultation. Section 1 is common to each plan. This response form can be used to respond to any part of the 3 Plans. It is important to specify which.

The 3 Plans have been published in order for representations to be made prior to submission of the documents to the Planning Inspectorate for examination. All representations will be examined by a Planning Inspector. The purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

**Each Local Plan has two parts:**

**Publication Draft Local Plan Section 1** - A set of strategic policies constructed in partnership between the three authorities and Essex

County Council. This means that the Section 1 policies are intended to apply across all three Local Authorities. These policies include those relating to Garden Communities, housing supply, employment, shopping and the environment. You can send your response to any one of the authorities as all responses to Section 1 will be collated. Only 1 response to the 3 authorities is required.

**Publication Draft Local Plan Section 2** - relates to the specific district, contains more detailed policies and is used to determine planning applications. If you wish to comment on the Tendring Publication Draft Local Plan Section 2 you should send your comments to Tendring District Council.

If you would like assistance in completing your representation or have any other questions about the Publication Draft Local Plan please contact the Planning Policy Team by email [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or by phone on 01255686177 and ask for Planning Policy.

**Tendring**  
District Council



**Local Plan**  
COLCHESTER BOROUGH



## Part A - Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the Council's websites and included as part of the Publication Draft Local Plan submissions to the Inspector. Address and contact details will be removed from published responses. (Village/town shown).

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory.

Please supply an email address if you have one as it will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the plan. If you do not wish to be contacted in this way please state this clearly on the form.

If an agent or consultant has been engaged to act on your behalf please fill in both sets of details in full. Correspondence will be sent to the agent. If you are a landowner with an agent acting on your behalf, please ensure that your agent knows the site name and reference number which your site has been given.

## Part B - Representation

Please specify which section of the Publication Draft Local Plan your comments relate to, by choosing one of the following;

**Section 1** A response to this section will be reported to all 3 authorities.

**Section 2 Colchester**  
**Section 2 Tendring**  
**Section 2 Braintree** } These plans are specific to each authority.

Which part of the plan are you responding to (please use one form per submission):

**Paragraph:** for a representation on wording or paragraph content

**Policy:** for a representation on the wording or inclusion or omission of a policy

**Other:** for example a map inset number, site reference or the wording or content of tables or appendices

## Legal Compliance and Duty to Co-operate

If commenting on how the Publication Draft Local Plan has been prepared, it is likely that your comments will relate to a matter of legal compliance.

The Inspector will check that the Plan meets the legal requirements

You should consider the following before making a representation on legal compliance:

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.
- The process of community involvement for the Plan in question should be in general accordance with the Statement of Community Involvement (SCI).
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations; making them available on its website and at its principal offices. It must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA must provide a Sustainability Appraisal Report. This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.
- LPAs will be expected to provide evidence of how they have complied with the Duty to Co-operate.
- Non-compliance with the duty to cooperate cannot be rectified after the Plan's submission. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

## Soundness

Soundness is explained in National Planning Policy Framework (NPPF) paragraph 182. The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

More details and further guidance on what is meant by the term 'soundness' can be found below and at; [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Positively prepared

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

### Justified

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.

### Effective

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning and no regulatory or national planning barriers. It should be flexible to changing circumstances

### Consistent with national policy

The Plan should be consistent with national policy. Departure must be clearly justified.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered, how is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

Using the spaces provided please give details of why you think the Publication Draft Local Plan is not 'sound having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. **If your representation is over 100 words please include a summary of its main points in the box provided.**

It will be helpful if you also say precisely **how** you think the Plan should be modified. Representations should cover succinctly all information, evidence and supporting information necessary to support/justify the representation and suggested modification, as there will not normally be a further opportunity to make submissions based on the original representation made at publication.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

All the formal representations received during this stage will be submitted to and considered by the appointed independent Planning Inspector at the public examination on the Plan. The process is likely to include public hearings. The Inspector will determine the most appropriate procedure to adopt to hear those who choose to participate at this stage. If you would like to appear and speak at the hearings, please state this and explain in the space provided why you consider it is necessary that you participate.

Representations can be sent:

- Via the Council's online consultation portal: <http://tendring-consult.objective.co.uk/portal>
- Via a representation form which can be downloaded from the website and returned via email to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)
- or by post to:  
**Planning Policy,  
Tendring District Council  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ**

For internal Use only	ID:	Rep No:	

## Draft Local Plan

# RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

**Do you wish to participate at the oral part of the examination?**

Yes     No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes     No

**If yes which stage**

Issues and Options     Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

**(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)**

**Colchester: Return by 5pm 11th August 2017**

## **Tendring District Local Plan 2013 – 2033 and Beyond: Publication Draft 2017**

### **Representations on behalf of Moonlight Hollow Ltd.**

The following representations are made on behalf of Moonlight Hollow Ltd. in respect of their land at Plough Road, Great Bentley.

Submissions have been previously made on behalf of our client by Mr. Edward Gittens to the Local Plan Issues and Options document in 2015, and the Preferred Options Draft in 2016.

From these previous submissions, our client owns land at St Mary's Farm, Plough Road, Great Bentley, which spans between the villages of Great Bentley and Aingers Green. A small parcel of this land has contributed towards the meeting of annual housing land supply and economic development targets through the recent achievement of planning permission for development on land at Station Field, Plough Road (Ref. 14/01750/OUT).

#### **Part 2 SPL1 – Managing Growth**

We object to the Settlement Hierarchy as expressed within Policy SPL 1, specifically with respect to the appropriateness of including the 'Tendring Colchester Borders Garden Community' in the Settlement Hierarchy. This does not have due regard to the uncertainty surrounding its delivery within the Plan period.

The list of Smaller Rural Settlements included within Policy SPL 1 excludes previously recognised settlements such as Aingers Green. As a result such villages would now be 'washed over' with countryside protection policies, and subsequently a presumption against development under the terms Policy SPL 2: Settlement Development Boundaries. The exclusion of many villages from the Settlement Hierarchy would fail to recognise the potential of such settlements for limited growth, as has been established by recent Appeal decisions, which can deliver meaningful contributions to housing land supply and support the sustainability of smaller villages, and their rural services and amenities.

The 'Smaller Rural Settlements' form the largest number of settlements in the Settlement Hierarchy and therefore have potential to make a recognised contribution to the OAN. Some of the Smaller Rural Settlements are actually sizeable villages, and/or are located in proximity to other sustainable settlements, and hence would be capable of making a significant contribution both individually and cumulatively.

Furthermore, villages excluded from the Settlement Hierarchy, and without Settlement Development Boundaries would not qualify for consideration under Policy LP 6: Rural Exception Sites. This would unnecessarily prejudice the delivery of affordable housing.

An appropriate extension should therefore be made to the list of Smaller Rural Settlements in Policy SPL 1: Managing Growth to include all recognised villages together with defined Settlement Development Boundaries.

#### **Part 1 SP3 Meeting Housing Need and Part 2 LP1 – Housing Supply**

Part 1 Policy SP3 states that Tendring District Council will deliver 550 net additional dwellings per year, producing a minimum of 11,000 homes in the Plan period 2013-2033.

Part 2 Policy LP1 sets out the housing supply providing a total of 12,001 dwellings.

We object to both Policy SP3 and Policy LP1.

Supporting text to Policy SP3 indicates the starting point for the objectively assessed housing need is the 2014 demographic projections and this is welcomed.

The 2014 demographic projections provide a figure of 675 dwellings per annum (dpa) for Tendring District. The previous projections from 2012 set a starting point of 705 dpa. When these are assessed for unattributed population change and with a market signal adjustment; the Objectively Assessed Housing Needs Study (2015) recommended an OAN range of 500-600 dpa, and adopted 550 dpa as the target where a single number was needed. With the 2014 projections providing a very similar figure, and the same reductions being applied the revised Objectively Assessed Housing Needs Study (2016) reasserted its position of 550 dpa being required. However, it can be assumed that the same range of 500-600 dpa can also be applied in this instance.

We are therefore concerned that the level of delivery set within the plan, of 550 dpa, underestimates housing need for the area. It is recommended that the higher figure of 600 dwellings per annum should be targeted, in line with the upper end of the range identified by the assessment of Objectively Assessed Need as part of the plan's evidence base. This is felt to more appropriately reflect the emphasis of the National Planning Policy Framework (NPPF) on increasing supply of housing. Paragraph 47 of the NPPF states that Local Authorities should significantly boost the supply of housing by ensuring Local Plans meet the full, objectively assessed needs for housing. This intention and the approach being pursued through the Local Plan must be made clear within this Policy as well as the District's housing strategy to ensure a clear set of proposed sources of housing supply can be conveyed as well as ensuring sufficient certainty through the Plan of delivering these houses.

In addition, Tendring District have only been able to demonstrate an average completion rate of 343.5 dpa between 2013 and 2017. The most recent Annual Monitoring Report (AMR) 2015/16 states the Council only has a 3 year supply of housing and due to existing shortfalls and persistent under delivery of housing the provision of a 20% buffer is included, in line with NPPF guidelines in Para. 47. This history of persistent under delivery highlights the need for the Council to provide sufficient supply of housing to meet the objectively assessed housing need for the District.

No housing allocations have been made for the settlement of Great Bentley. The village is recognised as a sustainable location, with a good level of services and facilities within the village centre, in addition to bus and rail services. Our client has suitable land available that could be brought forward within the plan period to enhance levels of growth in this sustainable settlement, supporting the village economy and contributing to the overall growth proposed for the District. A site plan is attached for consideration.

### **Housing Allocations – Map 11 Great Bentley**

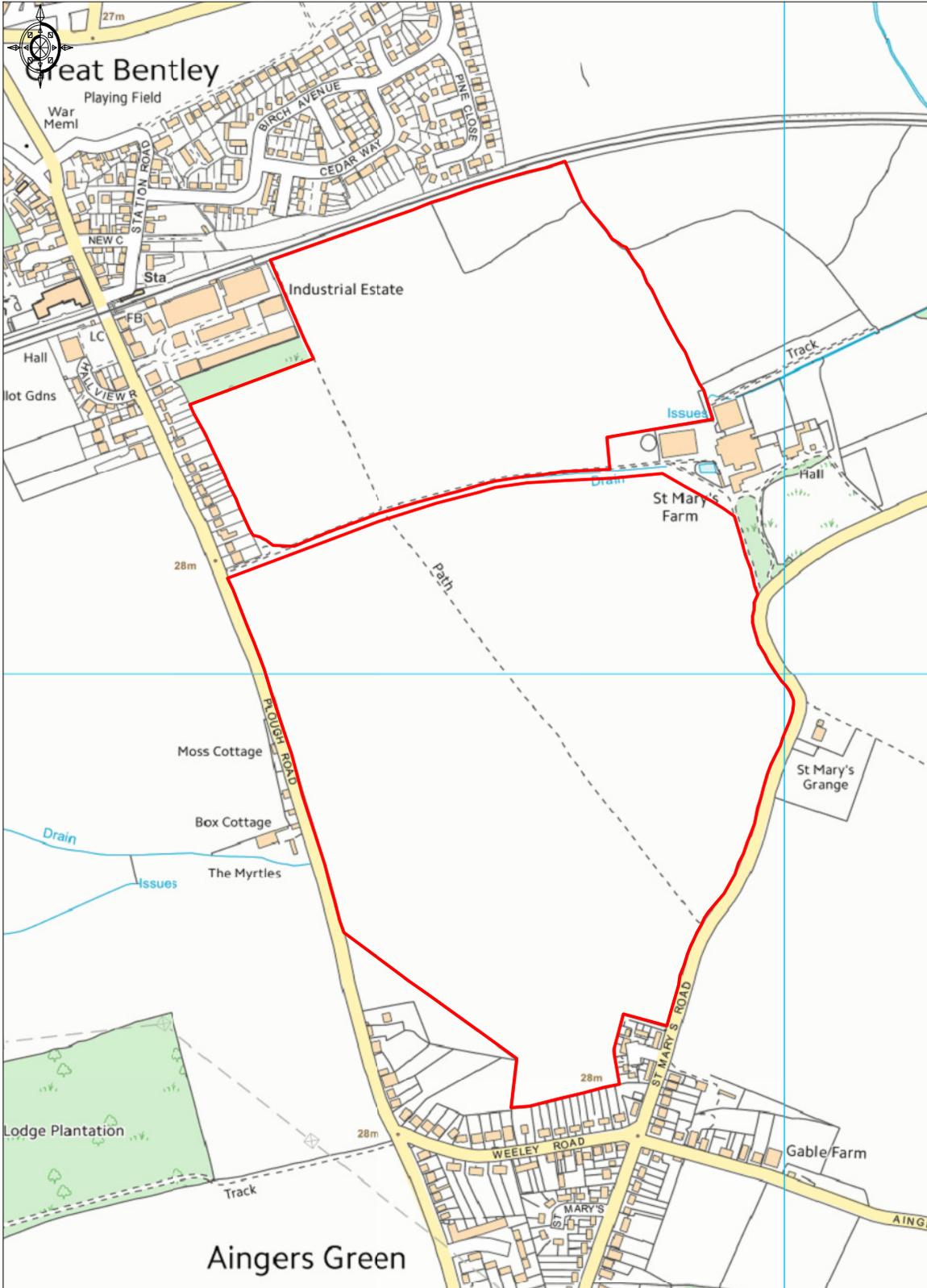
Our client has suitable land available in Great Bentley for delivery within the plan period, in the context of recently approved developments (see attached site plan). Utilisation of this land (whilst still allowing for the provision of some element of public open space) would create a link with existing planning permissions recently approved in Great Bentley at Plough Road (14/01750/OUT) in a suitable and sustainable manner, providing a logical future development boundary for the settlement.

Such development would provide a sustainable and achievable contribution to the District's housing supply, particularly in view of the constraints and uncertainties surrounding proposals for the Tendring Colchester Borders Garden Community. We therefore object to Map 11 within the proposed Local Plan.

**Boyer**

**July 2017**

Land at Plough Road, Great Bentley  
Site Location Plan  
Representations on Behalf of Moonlight Hollow Ltd



Ordnance Survey © Crown Copyright 2017. All rights reserved.  
Licence number 100022432. Plotted Scale - 1:7500

Prepared by Boyer  
(July 2017)

Our Ref: CP/AS/170702/R

27 July 2017



Planning Policy  
Tendring District Council  
Thorpe Road  
Weeley  
CO16 9AJ

BY EMAIL:

[planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)

Dear Sirs,

**Town and Country Planning (Local Planning) (England) Regulations 2012**

**Tendring District Council Draft Local Plan, Sections 1 & 2 - Consultation to 28<sup>th</sup> July 2017**

**Representation on behalf of Mr T. Parker, landowner**

On behalf of Mr T. Parker, Fowler Architecture and Planning Ltd is pleased to have the opportunity to respond to the latest consultation and engage in the process of preparing the new Local Plan Section 1, shared by the North Essex Local Authorities, and Section 2, which pertains specifically to Tendring District.

Mr Parker ('the Representor') is a landowner within the District, and seeks the allocation of his land holding for housing within the eventually adopted Local Plan. The site in question is considered to represent a sustainable opportunity for housing development, that will help Tendring District Council to meet the full objectively assessed needs (OAN) for housing in the District.

**Policy SP8**

The concept of the Garden Community in the area identified is **supported** as a means to deliver sustainable growth in the area.

The North Essex Local Authorities are applauded for the formulation of the Garden Communities concept set to be adopted in the relevant Districts, which will likely be of significant help in achieving the worthy Strategic Objectives set out in Chapter 1.7 of Section 1 of the Publication Draft.

Within Policy SP8, it is noted that the diagrammatic representation of the Tendring Colchester Borders Garden Community “*identifies the broad location*” of the proposed new Garden Community on Map B.7, and sets out guiding principles to shape the new settlement. The identification of the broad location is supported at this stage in advance of the detailed proposals being developed in the forthcoming Development Plan Document (DPD), a ‘Strategic Growth DPD’.

The Policy mentions a proposal for around 2,500 dwellings within the Plan period and potential for ‘between 7,000-9,000 dwellings’. However, it is not clear whether this relates to all or part of the green shaded area on Map B.7, or indeed whether this relates to purely land within Tendring District. Furthermore, Table LP2 identifies only 1,250 homes within the Garden Community to 2033, which is fewer than the quantum stated in Policy SP8. Again, clarification should be provided on the expected delivery within Tendring District.

The Map on B.7 therefore should be clarified as to whether this relates to the plan-period, or the obvious potential beyond; also it should be amended to show the strategic context in Colchester Borough Council to identify the broad extents of the Garden Community.

An objection exists to the use of two shades of green on Map B.7 as it is unclear what these represent. Any distinguishing of land use within the Garden Community is unsupported by any published masterplan at this stage and is premature of the decisions to be taken in the Strategic Growth DPD.

Early consultation must be undertaken with all affected landowners within this broad location for growth as part of the Strategic Growth DPD process.

### Policy SPL1

The Tendring Colchester Borders Garden Community is identified within Section 2 as being a Strategic Urban Settlement (by Policy SPL1). This is **strongly supported** by the Representor. It is clear that the broad location is highly sustainable and accessible in the context of the District and adjoining authorities. The placing of the Garden Community in the first tier of the settlement hierarchy therefore correctly recognises its strategic importance to deliver sustainable growth at the current time, during this plan-period and beyond.

### Policy SPL2

While there are no objections to the principle of defining settlement boundaries, the policy is unclear as to how sustainable development will be guided in accordance with the allocations and settlement hierarchy.

Policy SPL2, ‘Settlement Development Boundaries’, sets out a general presumption against development proposals in the countryside. Development in the countryside is

said to be considered “*in relation to the Settlement Hierarchy and any other relevant policies in this plan*”. The meaning of this sentence is not wholly clear, as by definition, sites outside of Settlement Development Boundaries are not included within any of the settlements listed within the hierarchy. More positive language should be employed at this juncture, or more appropriately in a separate policy or policies, to clarify the exceptions to this general presumption, beyond the explicit statement of the Rural Exception Sites. Exceptions in terms of housing should include: allocated housing sites, small infill plots that are otherwise sustainable, replacement dwellings, and the exceptions set out in paragraph 55 of the NPPF. As currently written, this runs contrary to those exceptions set out in the Framework, which is a significant material consideration but cannot overturn the Development Plan’s primacy in law. Furthermore, owing to the Council’s recent experience, a policy should be set in place that will help development control officers to identify sustainable development in the event of circumstances where the Council is unable to demonstrate a five year supply of housing.

In relation to the proposed new Garden Community, the Settlement Development Boundary for the proposed settlement has not yet been set, and the size, location, density, mix of uses and other relevant considerations will need to be consulted on at such time as the Strategic Growth DPD is prepared. Nonetheless, a broad location for growth has been identified and the overall boundary of this is clear, whereby the settlement boundary should be drawn to be inclusive of the overall Garden Community.

### **Policies Map**

The overall extents of the proposed broad location for growth of the Garden Community area supported, subject to clarification provided in the representations to Policy SP8.

Table LP2 identifies that the allocation for new homes at Tendring Colchester Borders Garden Community is projected to deliver 500 homes by 2027/28, but none by 2022/23. The proposed new settlement is therefore not expected to contribute to the District’s 5-year supply of housing imminently. The NPPF, at paragraph 47, requires Local Planning Authorities “*to boost significantly the supply of housing*” by identifying and annually updating a supply of deliverable sites, to ensure that five years’ worth of housing can be delivered. To that end, I now refer to the site outlined in the supplied plan, which we consider to be a deliverable site, that should be allocated for housing in the adopted Local Plan.

The site identified is land at Crockleford Mill, a parcel of land extending to around 1.3 hectares in the west of the District, very close to the Greenstead and Parson’s Heath areas of Colchester and abutting the District boundary. It sits on the northern side of Crockleford Hill, a short stretch of the Bromley Road, postcode CO4 3JG. There is a slope downwards from the road, towards Salary Brook, part of which falls within the Representor’s ownership, but which both forms the District boundary and

sits outside of it. The site is not subject to any ecological, landscape or heritage designations.

Recent planning permissions have been granted on sites adjacent or very near to the site, and the area has been agreed by development control officers to perform well against a range of sustainability measures. In determining Application No. 17/00056/OUT, the Case Officer noted that, although Crockleford Heath was not itself a settlement with strong sustainability credentials, that application site was sufficiently close to the Colchester Fringe to allow reasonable access to local facilities and public transportation, rendering the location suitable for housing development. That application site abuts the site current site being proposed for housing allocation, to the west. Application No. 17/00271/OUT was assessed in similar fashion, with the same result. That application site sits adjacent to the Representor's site, to the east.

Footnotes 10 and 11 of the NPPF define the terms 'deliverable' and 'developable', respectively. In order to be considered deliverable, a site must be available now, be suitable for development now, and the delivery of housing within five years must be realistically achievable. Sites in a suitable location, with a reasonable prospect of availability and that could be viably developed at the point envisaged can be considered developable.

As the Garden Community is not currently a specific site, and is currently, until the production of the Strategic Growth DPD, a 'broad area for growth', it may be considered 'developable', but cannot be seen as deliverable. The Representor's site offers a deliverable addition to housing supply for West Tendring, which will help the District Council in its duty to "*boost significantly*" the supply of housing.

The holistic approach in this instance would be to extend a new Settlement Policy Boundary that covers the locality of the Representor's site, including the site, the sites for which planning permission for new housing has already been granted, and other small parcels of land nearby that, when positively assessed, display sustainable characteristics. The area has already repeatedly been agreed to be a sustainable location for housing, a fact that should be reflected in the Local Plan by directing development to this vicinity as an appropriate location for new housing.

In light of the requirements of the Local Plan making process, it is considered that the inclusion of the site as a housing allocation or within a Settlement Development Boundary would promote the soundness of the Local Plan. Its inclusion would be a sign of the Plan being:

- **Positively prepared:** helping to meet development requirements, and consistent with achieving sustainable development;
- **Justified:** correctly assessed, the site would be found to represent an opportunity for deliverable sustainable development;

- **Effective:** the site is deliverable in the current circumstances, and would help the Council to meet its housing requirements; and
- **Consistent with national policy:** the site is sustainable, would boost the supply of housing, and does not sit at odds with any national policies that restrict development.

We look forward to working with you on behalf of our client.

Yours faithfully,

MPlan

**FOWLER ARCHITECTURE AND PLANNING**

cc: Clients

Enc: Proposed Site Allocation Plan

# GUIDANCE NOTES

## & RESPONSE FORM

to accompany the Publication Draft Local Plan (2017)

**Please read these guidance notes before completing the response form**

### Introduction

Braintree District Council, Tendring District Council and Colchester Borough Council, have each published their own Publication Draft Local Plan for consultation. Section 1 is common to each plan. This response form can be used to respond to any part of the 3 Plans. It is important to specify which.

The 3 Plans have been published in order for representations to be made prior to submission of the documents to the Planning Inspectorate for examination. All representations will be examined by a Planning Inspector. The purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

**Each Local Plan has two parts:**

**Publication Draft Local Plan Section 1** - A set of strategic policies constructed in partnership between the three authorities and Essex

County Council. This means that the Section 1 policies are intended to apply across all three Local Authorities. These policies include those relating to Garden Communities, housing supply, employment, shopping and the environment. You can send your response to any one of the authorities as all responses to Section 1 will be collated. Only 1 response to the 3 authorities is required.

**Publication Draft Local Plan Section 2** - relates to the specific district, contains more detailed policies and is used to determine planning applications. If you wish to comment on the Tendring Publication Draft Local Plan Section 2 you should send your comments to Tendring District Council.

If you would like assistance in completing your representation or have any other questions about the Publication Draft Local Plan please contact the Planning Policy Team by email [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or by phone on 01255686177 and ask for Planning Policy.

**Tendring**  
District Council



**Local Plan**  
COLCHESTER BOROUGH



## Part A - Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the Council's websites and included as part of the Publication Draft Local Plan submissions to the Inspector. Address and contact details will be removed from published responses. (Village/town shown).

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory.

Please supply an email address if you have one as it will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the plan. If you do not wish to be contacted in this way please state this clearly on the form.

If an agent or consultant has been engaged to act on your behalf please fill in both sets of details in full. Correspondence will be sent to the agent. If you are a landowner with an agent acting on your behalf, please ensure that your agent knows the site name and reference number which your site has been given.

## Part B - Representation

Please specify which section of the Publication Draft Local Plan your comments relate to, by choosing one of the following;

**Section 1** A response to this section will be reported to all 3 authorities.

**Section 2 Colchester**  
**Section 2 Tendring**  
**Section 2 Braintree** } These plans are specific to each authority.

Which part of the plan are you responding to (please use one form per submission):

**Paragraph:** for a representation on wording or paragraph content

**Policy:** for a representation on the wording or inclusion or omission of a policy

**Other:** for example a map inset number, site reference or the wording or content of tables or appendices

## Legal Compliance and Duty to Co-operate

If commenting on how the Publication Draft Local Plan has been prepared, it is likely that your comments will relate to a matter of legal compliance.

The Inspector will check that the Plan meets the legal requirements

You should consider the following before making a representation on legal compliance:

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.
- The process of community involvement for the Plan in question should be in general accordance with the Statement of Community Involvement (SCI).
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations; making them available on its website and at its principal offices. It must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA must provide a Sustainability Appraisal Report. This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.
- LPAs will be expected to provide evidence of how they have complied with the Duty to Co-operate.
- Non-compliance with the duty to cooperate cannot be rectified after the Plan's submission. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

## Soundness

Soundness is explained in National Planning Policy Framework (NPPF) paragraph 182. The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

More details and further guidance on what is meant by the term 'soundness' can be found below and at; [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Positively prepared

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

### Justified

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.

### Effective

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning and no regulatory or national planning barriers. It should be flexible to changing circumstances

### Consistent with national policy

The Plan should be consistent with national policy. Departure must be clearly justified.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered, how is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

Using the spaces provided please give details of why you think the Publication Draft Local Plan is not 'sound having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. **If your representation is over 100 words please include a summary of its main points in the box provided.**

It will be helpful if you also say precisely **how** you think the Plan should be modified. Representations should cover succinctly all information, evidence and supporting information necessary to support/justify the representation and suggested modification, as there will not normally be a further opportunity to make submissions based on the original representation made at publication.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

All the formal representations received during this stage will be submitted to and considered by the appointed independent Planning Inspector at the public examination on the Plan. The process is likely to include public hearings. The Inspector will determine the most appropriate procedure to adopt to hear those who choose to participate at this stage. If you would like to appear and speak at the hearings, please state this and explain in the space provided why you consider it is necessary that you participate.

Representations can be sent:

- Via the Council's online consultation portal: <http://tendring-consult.objective.co.uk/portal>
- Via a representation form which can be downloaded from the website and returned via email to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)
- or by post to:  
**Planning Policy,  
Tendring District Council  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ**

For internal Use only	ID:		Rep No:	

## Draft Local Plan

# RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

**Do you wish to participate at the oral part of the examination?**

Yes     No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes     No

**If yes which stage**

Issues and Options     Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

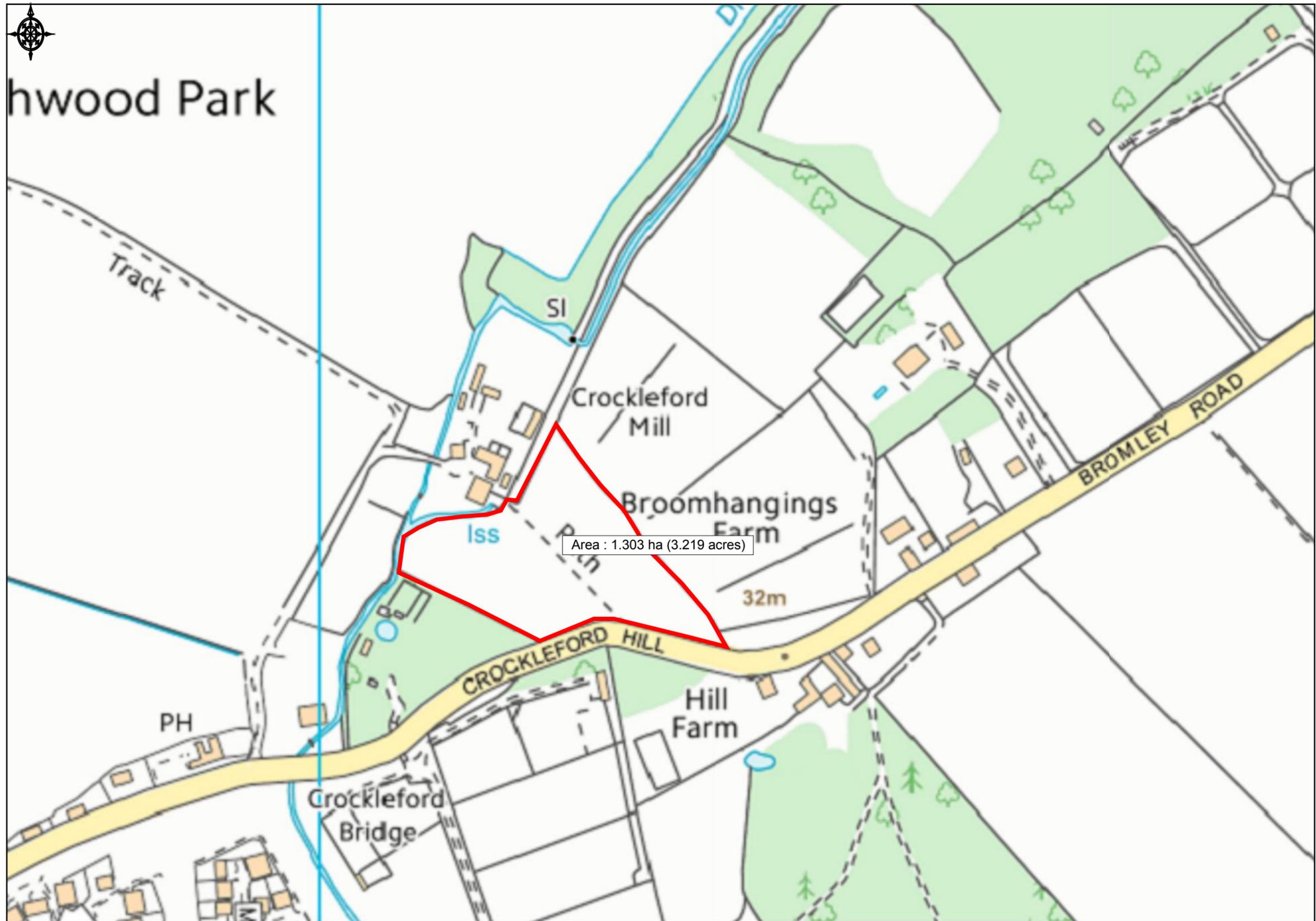
When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

**(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)**

**Colchester: Return by 5pm 11th August 2017**



**Tendring District Local Plan  
Publication Draft**



**August 2017**



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## APPENDICES

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Appendix 4	Grange Road, Lawford - Development Brief
Appendix 5	Wick Lane, Ardleigh - Development Brief
Appendix 6	Land East of Oakwood Park, Holland Road, Clacton - Location Plan

# 1 EXECUTIVE SUMMARY

- i. This representation provides Gladman Developments Ltd written representations on the publication version of the Tendring District Local Plan (TDLP), currently out for public consultation.
  - ii. Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure.
  - iii. These representations concern the following main matters:
    - Duty to Cooperate
    - Sustainability Appraisal
    - Housing Needs
    - Shared Strategic Plan for the North Essex Authorities
    - Vision and Objectives
    - Managing Growth
    - Design
    - Housing
    - Rural Landscapes and Green Gaps
    - Heritage
  - iv. Alongside this individual submission, Gladman have submitted responses to the Braintree and Colchester consultations, with regard to Part 1 of the Local Plan as well as the individual Part 2 plans.
  - v. Gladman commissioned Lichfields to review the Sustainability Appraisal of both the North Essex Part 1 Plan and the Tendring Part 2 Plan (attached as Appendix 1). The review concludes that although the quantity of sites assessed for garden communities is deemed acceptable, the site selection has been artificially suppressed by the 5,000-dwelling threshold that has been applied. There is overwhelming evidence that this has resulted in a narrow focus being applied to the consideration of the new Garden Community options.
  - vi. However, the Sustainability Assessment for Tendring only explores a settlement hierarchy approach to the spatial distribution of housing and there is no evidence to suggest that this is the most sustainable approach to development in Tendring. As a consequence, the Sustainability Appraisal's approach to site allocations in Tendring cannot be considered robust as they are built on an unjustified approach to housing distribution.
  - vii. Gladman commissioned Barton Willmore to undertake a review of the Objectively Assessed Housing Need (OAHN) undertaken by the Council in 2017. The review (attached as Appendix 2) concludes that an unjustified approach has been taken to the issue of Unattributable Population
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Change in Tendring, the OAHN makes no adjustment for suppressed household formation in Tendring, it does not provide a consistent approach to the economic aspects of housing need and there is evidence to suggest that a greater than 15% uplift should be applied to the OAHN for Tendring to address worsening Market Signals.

- viii. In Barton Willmore's professional opinion, 550 dwellings per annum represents an under estimate of the level of housing need for Tendring and at the minimum, there is a need for 674 dwellings per annum simply to meet the demographic need identified by DCLG in the household projections. Barton Willmore's overall conclusion is that the true level of housing need in Tendring is between 674 and 972 dwellings per annum.
  - ix. Gladman commissioned Strutt and Parker to undertake an assessment of the delivery of the North Essex Garden Communities. As this report covers all of the Garden Communities and relates specifically to the strategic Part 1 North Essex Plan (the subject of a joint Examination in Public), the detail of its findings has been covered in Gladman's representations submitted as part of the response to the Colchester Borough Local Plan to avoid repetition.
  - x. Gladman support the fact that growth will effectively come from development in and around existing settlements and through the new garden communities allocated in the plan. Gladman's experience is that the best way in which to ensure the delivery of housing targets is to maintain a good spread of sites and site typologies across the districts. It is our view therefore, that the spatial strategy needs to recognise new garden villages as well as the larger garden settlements. These in addition to the smaller allocations will help the plan soundly meets its housing targets.
  - xi. Gladman supports the concept of new garden communities which represent a potentially sustainable means of providing new homes, jobs and associated community infrastructure in the longer term. It is, however, concerned that the scale, complexity and development requirements of the garden communities proposed is such that their anticipated deliverability is questionable and consequently considers that the Plan contains unrealistic expectations for the delivery of new housing on such developments.
  - xii. Having regard to the need for the preparation of the Strategic Growth Development Plan Documents, a significant amount of land assembly to be undertaken, the need for a considerable amount of infrastructure to be provided and the expectation that the Garden Communities will each involve two authorities, Gladman considers that it is extremely unlikely that the delivery of new housing on these sites will be achieved within the timescales anticipated by the Councils.
  - xiii. Gladman support the inclusion of a detailed Settlement Hierarchy in Policy SPL1 of the Plan and the definition of Clacton, Harwich and Dovercourt as Strategic Urban Settlements. Gladman also support the identification of Lawford as a Smaller Urban Settlement where modest levels of housing growth will be directed.
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- xiv. However, Gladman object to the categorisation of Ardleigh as a Smaller Rural Settlement. Ardleigh is considered to be a sustainable settlement with good access to services and facilities to meet the daily needs of its residents. It is located in close proximity to Colchester with high quality bus service from early morning until the evening allowing easy access to the town for employment, education and leisure purposes. It is therefore considered that Ardleigh should be categorised as a Rural Service Centre.
- xv. Gladman have some concerns with regards to the Housing Land Supply Policy LP1. The table set out within Section 5.1 of the Plan (Table A) also includes completions data from the start of the Plan period until 2016/17. This shows an existing shortfall in housing supply against the housing requirement totalling 826 units or one and a half years' worth of supply. This is a significant under-supply of dwellings and represents real people in need of housing now. It is therefore essential that the Council allocates a range of housing sites in a variety of locations and of a variety of sizes to ensure that the housing needs of local people are delivered in the short term, before the large scale strategic sites come on stream and to meet the significant backlog within the first five years of the Plan.
- xvi. Gladman are promoting a number of sites in sustainable locations which are available, achievable and deliverable and should be included within the Tendring Local Plan as residential allocations. These include:
- a. Bromley Road, Parsons Heath (Appendix 3).
  - b. Grange Road, Lawford (Appendix 4).
  - c. Wick Lane, Ardleigh (Appendix 5).
  - d. Land East of Oakwood Park, Clacton (Appendix 6).
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## 2 INTRODUCTION

### 2.1 Introduction

2.1.1 This representation is made by Gladman Developments Ltd (GDL) in response to the current consultation on the publication version of the Tendring District Local Plan (TDLP). GDL specialise in the promotion of strategic land for residential development with associated community infrastructure and has land interests across Tendring.

2.1.2 GDL has considerable experience in the development industry in a number of sectors including residential and employment development. From that experience, it understands the need for the planning system to provide local communities with the homes and jobs that they need to ensure that they have access to a decent home and employment opportunities.

2.1.3 GDL also has a wealth of experience in contributing to the Development Plan preparation process, having made representations on numerous local planning documents through the UK and having participated in many local plan public examinations. It is on the basis of that experience that the comments are made in this representation.

### 2.2 Context

2.2.1 The National Planning Policy Framework sets out four tests that must be met for Local Plans to be considered sound. In this regard, we submit that in order to prepare a sound plan it is fundamental that it is:

- **Positively Prepared** – The Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base.
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

### 2.3 Previous Submissions

2.3.1 GDL have made submission in response to the following consultations in relation to the TDLP.

- Issues and Options (September 2015)
  - Preferred Option (August 2016)
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## 2.4 Overview of Soundness

2.4.1 Due to the significant issues raised through this submission, and summarised in Table 1 below, GDL consider it necessary that we are given the opportunity to discuss our representations further at the Examination in Public.

Table 1 – Summary of policy soundness

Policy	Sound/Unsound	Test of Soundness	Reason	Evidence
SP1	Sound	Consistent with National Policy	Reflects the presumption in favour of sustainable development.	NPPF
SP2	Unsound	Effective	Support for focus on existing settlements but consider that the Spatial Strategy should consider smaller Garden Villages as a potential source of housing supply in the short-term.	NPPF
SP3	Unsound	Positively Prepared	The Plan does not meet the full objectively assessed housing needs for Tendring.	Barton Willmore Technical Review of Housing Needs.
SP5	Unsound	Effective	See response to Colchester Borough Local Plan Part 1.	
SP7	Unsound	Effective	There are concerns over the speed of delivery of the Garden Communities and as such there is a lack of housing supply in the early part of the Plan period and a shortfall of supply across the entire Plan which needs to be addressed with further allocations.	
SP8	Unsound	Effective	Gladman consider that the Garden Community on the boundary of Colchester and Tendring will not	Strutt and Parker

			deliver units as quickly as the Council expect and therefore further smaller scale housing sites will be required to be allocated to deliver in the short term.	
SPL1	Unsound	Positively Prepared	Gladman support the identification of Clacton as a Strategic Urban Settlement and Lawford as a Smaller Urban Settlement. However, Gladman consider that Ardleigh is mis-categorised and based on its services and facilities and proximity to Colchester, it should be a Rural Service Centre.	NPPF
SPL2	Unsound	Positively Prepared Consistent with National Policy	The use of Settlement Development Boundaries to arbitrarily restrict sustainable sites from coming forward does not accord with the positive approach to growth required by the Framework.	NPPF
SPL3	Unsound	Positively Prepared Consistent with National Policy	Policy SPL3 should be reworded to allow the decision maker to undertake a planning balance exercise as required by the NPPF rather than a proposal having to meet every criteria.	NFFF
HP4	Comment	Consistent with National Policy	Local Greenspace designations should conform with Paragraph 77 of the Framework.	NPPF
LP1	Unsound	Positively Prepared Effective Consistent with National Policy	The Council have a recognised housing shortfall which is significant and should be rectified within the first five years of the Plan period. A larger	NPPF

			flexibility factor should also be built into the plan to ensure the housing requirement is met.	
LP2	Sound		The focus on retirement and extra care accommodation is supported.	NPPF
LP3	Unsound	Positively Prepared Effective Consistent with National Policy	The Council needs to provide sufficient evidence to justify the requirement for internal space requirements.	NPPF WMS
LP5	Unsound	Effective	There is an inconsistency in the Plan over the requirement for affordable housing.	TDLP
LP10	Sound	Effective	Support the Council's approach to Care and Independent Assisted Living.	
PP12	Comment		LPAs should work positively with developers to address Educational provision.	NPPF
PPL3	Unsound	Positively Prepared Consistent with National Policy	Policy PPL3 is inconsistent with the Framework's approach to designated landscapes.	NPPF
PPL6	Unsound	Positively Prepared Consistent with National Policy	Policy PPL6 is inconsistent with the Framework and the need to balance all factors in making development management decisions.	NPPF
PPL8	Unsound	Consistent with National Policy	Policy PPL8 is not consistent with the Framework in its treatment of Heritage Assets.	NPPF
PPL9	Unsound	Consistent with National Policy	Policy PPL8 is not consistent with the Framework in its treatment of Heritage Assets.	NPPF
CP2	Unsound	Consistent with National Policy	Policy CP2 is not consistent with the Framework in its	NPPF

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			treatment of traffic impact	
DI1	Unsound	Justified	There is no definition of the term minimum developer profit level which makes the Policy unclear.	NPPF

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## 3 NATIONAL PLANNING POLICY

### 3.1 National Planning Policy Framework and Planning Practice Guidance

3.1.1 The NPPF has been with us now for over five years and the development industry has experience with its application and the fundamental changes it has brought about in relation to the way the planning system functions. The NPPF sets out the Government's goal to 'significantly boost the supply of housing' and how this should be reflected through the preparation of Local Plans. In this regard, it sets out specific guidance that local planning authorities must take into account when identifying and meeting their objectively assessed housing needs:

**"To boost significantly the supply of housing, local planning authorities should:**

- **Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.**
- **Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements..."**
- **Identify a supply of specific, developable sites or broad locations for growth, for years 6-10, and where possible for years 11-15" (Paragraph 47)".**

3.1.2 The starting point of identifying objectively assessed housing needs is set out in paragraph 159 of the NPPF, which requires local planning authorities to prepare a Strategic Housing Market Assessment (SHMA), working with neighbouring authorities where housing market areas cross administrative boundaries. It is clear from the NPPF that the objective assessment of housing needs should take full account of up-to-date and relevant evidence about the economic and social characteristics and prospects of the area, with local planning authorities ensuring that their assessment of and strategies for housing and employment are integrated and take full account of relevant market and economic signals (paragraph 158).

3.1.3 Once a local authority has identified its objectively assessed needs for housing these needs should be met in full, unless any adverse impacts would significantly and demonstrably outweigh the benefits of doing so (paragraph 14). Local planning authorities should seek to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Adverse impacts on any of these dimensions should be avoided. Where adverse impacts are unavoidable, mitigation or compensatory measures may be appropriate (paragraph 152).

3.1.4 As the Council will be aware the Government published its final suite of Planning Practice Guidance (PPG) on the 6th March 2014, clarifying how specific elements of the NPPF should be interpreted

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when preparing their Local Plans. The PPG on the Housing and Economic Development Needs in particular provides a clear indication of how the Government expects the NPPF to be taken into account when Councils are identifying their objectively assessed housing needs. Key points from this document include:

- a. Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.
  - b. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic underperformance, infrastructure or environmental constraints.
  - c. Household projection based estimates of housing need may need adjusting to reflect factors affecting local demography and household formation rates which are not captured by past trends, for example historic suppression by under supply and worsening affordability of housing. The assessment will need to reflect the consequences of past under delivery and the extent to which household formation rates have been constrained by supply.
  - d. Plan makers need to consider increasing their housing numbers where the supply of working age population is less than projected job growth, to prevent unsustainable commuting patterns and reduced local business resilience.
  - e. Housing needs indicated by household projections should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings.
- 3.1.5 The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed, and the larger the additional supply response should be.
- 3.1.6 The total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help to deliver the required number of affordable homes.

## **3.2 Housing White Paper – Fixing our broken housing market**

- 3.2.1 The Government published the Housing White Paper in February 2017 for consultation. Whilst it is a White Paper, it nevertheless represents a very clear direction of travel and clear indication of the Government's intent. The Council will need to consider the emerging Plan against the points raised within the White Paper, and monitor the progress of the consultation as the proposals within it materialise as potential reforms to the planning system. Given that the intention of the document
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is to have some of its proposed changes come into force by November 2017, it is highly likely that a number of its measures will be relevant considerations prior to the adoption of the plan.

- 3.2.2 The title of the White Paper makes apparent that the Government considers the housing market to be broken, it is also clear from the document forward by the Prime Minister that the cost of housing is a key part of why the housing market is considered broken. In the foreword, the Prime Minister states:

**“Today the average house costs almost eight times average earnings – an all-time record.”**

**“In total, more than 2.2 million working households with below-average incomes spend a third or more of their disposable income on housing.”**

**“We need to build many more houses, of the type people want to live in, in the places they want to live. To do so requires a comprehensive approach that tackles failure at every point in the system.”**

- 3.2.3 The second foreword from the Secretary of State adds further to the Government’s thinking, particularly on the need to build new homes now, it states:

**“This country doesn’t have enough homes. That’s not a personal opinion or a political calculation. It’s a simple statement of fact”**

**“Soaring prices and rising rents caused by a shortage of the right homes in the right places has slammed the door of the housing market in the face of a whole generation.”**

**“That has to change. We need radical, lasting reform that will get more homes built right now and for many years to come.”**

- 3.2.4 The White Paper outlines further potential reforms to the plan making process, OAN methodology, and Green Belt consideration and housing delivery tests, amongst others. Gladman will refer to key aspects from the White Paper in relevant sections of this representation.

- 3.2.5 The reason for this housing crisis is that the country is simply not building enough homes and has not done so for far too long. The consensus is that we need from 225,000 to 275,000 or more homes per year to keep up with population growth and to start to tackle years of under-supply.

- 3.2.6 Everyone involved in politics and the housing industry therefore has a moral duty to tackle this issue head on. The White Paper states quite unequivocally that *“the housing shortage isn’t a looming crisis, a distant threat that will become a problem if we fail to act. We are already living in it.”*
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- 3.2.7 Tackling the housing shortage is not easy. It will inevitably require some tough decisions. But the alternative, according to the White Paper, is a divided nation, with an unbridgeable and ever-widening gap between the property haves and have-nots.
- 3.2.8 The challenge of increasing supply cannot be met by Government alone. It is vital to have local leadership and commitment from a wide range of stakeholders, including local authorities, private developers, housing associations, lenders and local communities.
- 3.2.9 The starting point is building more homes. This will slow the rise in housing costs so that more ordinary working families can afford to buy a home and it will also bring the cost of renting down. We need more land for homes where people want to live. All areas therefore need a plan to deal with the housing pressures they face.
- 3.2.10 Currently, over 40 per cent of local planning authorities do not have a plan that meets the projected growth in households in their area. All local authorities should therefore develop an up-to-date plan with their communities that meets their housing requirement based upon an honest assessment of the need for new homes.
- 3.2.11 Local planning authorities have a responsibility to do all that they can to meet their housing requirements, even though not every area may be able to do so in full. The identified housing requirement should be accommodated in the Local Plan, unless there are policies elsewhere in the Framework that provide strong reasons for restricting development, or the adverse impacts of meeting this requirement would significantly and demonstrably outweigh the benefits. Where an authority has demonstrated that it is unable to meet all of its housing requirement, it must be able to work constructively with neighbouring authorities to ensure the remainder is met.
- 3.2.12 Plans should be reviewed regularly, and are likely to require updating in whole or in part at least every five years. An authority will also need to update their plan if their existing housing target can no longer be justified against their objectively assessed housing requirement.
- 3.2.13 Policies in Local Plans should also allow a good mix of sites to come forward for development, so that there is choice for consumers, places can grow in ways that are sustainable, and there are opportunities for a diverse construction sector including opportunities for SME housebuilders to deliver much needed housing.
- 3.2.14 In terms of rural areas, the Government expects local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the need to provide homes for local people who currently find it hard to live where they grew up. It is clear that improving the availability and affordability of homes in rural areas is vital for sustaining rural communities, alongside action to support jobs and services. There are opportunities to go further to support a good mix of sites and meet rural housing needs, especially where scope exists to expand settlements in a way which is sustainable and helps provide homes for local people. This is
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especially important in those rural areas where a high demand for homes makes the cost of housing a particular challenge for local people.

- 3.2.15 Finally, the Government has made it clear through the White Paper that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people.
- 3.2.16 The White Paper is the cornerstone of future Government policy on fixing the broken housing market. It provides the direction of travel the Government is intending to take and is a clear statement of intent that this Government is serious about the provision of the right number of houses in the right places. The Tendring Local Plan therefore needs to consider these policy intentions now in order to ensure that it fulfils the Government's agenda and provides the homes that its local communities need.
- 3.2.17 Following the election, Sajid Javid re-iterated the Government's intentions for boosting housing growth stating that he wants areas that have benefitted from soaring property prices to play their part in solving the housing crisis. Mr Javid pointed out that where property prices were particularly unaffordable, local leaders would need to take a long, hard and honest look to see if they are planning for the right number of homes. He also announced that a new consultation on a standardised methodology for calculating housing needs would be released in July 2017. The Council will therefore need to consider the implications of this consultation going forward.
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## **4 DUTY TO COOPERATE**

### **4.1 Overview**

- 4.1.1 The Duty to Cooperate is a legal requirement established through Section 33(A) of the Planning and Compulsory Purchase Act, 2004, as amended by Section 110 of the Localism Act. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues throughout the process of Plan preparation. As demonstrated through the outcome of the 2012 Coventry Core Strategy Examination and the 2013 Mid Sussex Core Strategy Examination, if a Council fails to satisfactorily discharge its Duty to Cooperate, this cannot be rectified through modifications and an Inspector must recommend non-adoption of the Plan.
- 4.1.2 Whilst Gladman recognise that the Duty to Cooperate is a process of ongoing engagement and collaboration as set out in the PPG, it is clear that it is intended to produce effective policies on cross boundary strategic matters. In this regard, the Tendring District Plan must be able to demonstrate that it has engaged and worked with neighbouring authorities, alongside their existing joint working arrangements, to satisfactorily address cross boundary strategic issues and the requirement to meet any unmet housing needs. This is not simply an issue of consultation but a question of effective cooperation.
- 4.1.3 Tendring is working alongside the other North Essex Authorities (Colchester and Braintree) to prepare a strategic plan which sets the overall strategic framework for planning in the area upon which, the local plans can be based. This approach is to be welcomed as it allows the authorities to address cross-boundary strategic issues such as the delivery of new settlements in a coordinated manner. It is considered that Maldon is also part of the same Housing Market Area as Tendring, Colchester and Braintree but it is recognised that their Local Plan preparation is ahead of the other authorities and for practical purposes it may not be possible to align key evidence. However, it is important to recognise that the North Essex authorities have a number of key links with other LPAs outside of North Essex including Maldon, Chelmsford and Uttlesford and they need to work cooperatively with these authorities, through the Duty to Cooperate to address cross boundary issues.
- 4.1.4 It is noted in paragraph 1.8 of the TDLP that Chelmsford is part of the Housing Market Area (HMA) which encompasses the North Essex authorities who are preparing the joint plan, however they are not part of the joint plan making process. The Council will therefore need to ensure that such an approach is robustly evidenced, and that regardless of the joint plan making between Colchester, Braintree and Tendring sufficient consideration of strategic issues as they relate to Chelmsford are undertaken through the Duty to Cooperate. For example, the planned opening of Crossrail which has its eastern terminus at Shenfield, near Chelmsford.
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- 4.1.5 Further, the PPG reflects on the public bodies which are subject to the duty to cooperate. It contains a list of the prescribed bodies. The PPG then goes on to state that:

**“These bodies play a key role in delivering local aspirations, and cooperation between them and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters.”**

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## **5 SUSTAINABILITY APPRAISAL**

### **5.1 Context**

- 5.1.1 Under Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against reasonable alternatives.
- 5.1.2 The Council need to ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Council's decision making and scoring should be robust, justified and transparent.
- 5.1.3 Gladman remind the Council that there have now been a number of instances where the failure to undertake a satisfactory SA has resulted in Plans failing the test of legal compliance at Examination or being subjected to legal challenge.

### **5.2 North Essex and Tendring Sustainability Appraisal**

- 5.2.1 Gladman instructed Lichfields to assess the outputs from the Sustainability Appraisal (SA) that has been undertaken for the Part 1 North Essex Authority Plan and the Part 2 Tendring Local Plan. Associated Part 2 reports were also prepared for Braintree and Colchester.
- 5.2.2 The report, included in full as Appendix 1, has made a number of conclusions which are set out in summary in the paragraphs below.
- 5.2.3 Although the quantity of sites assessed for garden communities is deemed acceptable, the site selection has been artificially suppressed by the 5,000-dwelling threshold that has been applied. There is overwhelming evidence that this has resulted in a narrow focus being applied to the consideration of the new Garden Community options.
- 5.2.4 The Sustainability Assessment for Tendring only explores a settlement hierarchy approach to the spatial distribution of housing and there is no evidence to suggest that this is the most sustainable approach to development in Tendring.
- 5.2.5 The Sustainability Appraisal's approach to site allocations in Tendring cannot be considered robust as they are built on an unjustified approach to housing distribution. They have been considered against which settlement they are in and therefore this has the potential to exclude more sustainable sites just because they are located in a settlement where there are already enough site allocations or it is within a settlement which is further down in the hierarchy.
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- 5.2.6 On top of this, nowhere in the SA is the appropriate level of development for each settlement in the hierarchy established and therefore it is completely unknown if this is the most sustainable level that could be achieved. There is also no clarity as to why strategic housing allocations have been chosen in the areas they have been and why those in other locations have been excluded.
- 5.2.7 On the whole, these factors set out that there is a distinct lack of information supporting any of the conclusions made on housing distribution and site allocations and therefore they cannot be relied upon within this Sustainability Appraisal to allow the Local Plan to be found sound.
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## 6 OBJECTIVELY ASSESSED HOUSING NEED (OAN)

### 6.1 Background

6.1.1 The process of undertaking an OAN is clearly set out in the Framework, principally in §14, §47, §152 and §159 and should be undertaken in a systemic and transparent way to ensure that the plan is based on a robust evidence base.

6.1.2 The starting point for this assessment requires local planning authorities to have a clear understanding of housing needs in their area. This involves the preparation of a Strategic Housing Market Assessment (SHMA) working with neighbouring authorities where housing markets cross administrative areas as detailed in §159 of the Framework. The Framework goes on to set out factors that should be included in a SHMA including identifying:

**“the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:**

- **Meets household and population projections taking account of migration and demographic change;**
- **Addresses the need for all types of housing including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and**
- **Caters for housing demand and the scale of housing supply necessary to meet this demand.”**

6.1.3 Key points that are worth noting from the above are that the objective assessment should identify the full need for housing before the Council consider undertaking any process of assessing the ability to deliver this figure. In addition, §159 specifically relates to catering for both housing need and housing demand within the authority area. It is also worth pointing out that any assessment of housing need and demand within the SHMA must also consider the following factors; falling household formation rates, net inward migration, the need to address the under provision of housing from the previous local plan period, the results of the Census 2011, housing vacancy rates including the need to factor in a housing vacancy rate for churn in the housing market, economic factors to ensure that the economic forecasts for an area are supported by sufficient housing to deliver economic growth, offsetting a falling working age population by providing enough housing to ensure retiring workers can be replaced by incoming residents, addressing affordability and delivering the full need for affordable housing in the area.

6.1.4 Of particular importance is the need to consider market signals. The consideration of market signals is one of the core planning principles considered in §17 of the Framework, which states:

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**“Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.”**

6.1.5 Of critical importance is what the Framework goes on to say in §158 in the section discussing Plan Making. It states here that:

**“Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.”**

6.1.6 Market signals are therefore at the very core of what the Framework is trying to achieve in promoting sustainable development and boosting the supply of housing land.

6.1.7 The Planning Practice Guidance (PPG) gives further explanation to what the Framework means with regards to market signals, and sets out in a range of paragraphs the way in which local planning authorities should go about factoring in relevant market signals in arriving at their OAN. §19 and §20 of the PPG gives guidance on what market signals should be taken into account and how plan makers should respond to these market signals. The below extract identifies some particularly pertinent points:

**“The housing need number suggested by household projections (the starting point) should be adjusted to reflect the appropriate market signals, as well as other market indicators of the balance between demand for and supply of dwellings. Prices of rents rising faster than national/local average may well indicate particular market undersupply relative to demand.”**

6.1.8 The paragraph goes on to indicate that these factors would include, but should not be limited to land prices, house prices, rents, affordability, rates of development and overcrowding. However, given what the Framework says at §17, quoted above, it seems clear that particular consideration should be given to affordability.

6.1.9 In order to consider how market signals should be taken forward §20 identifies some key concepts:

**“Appropriate comparisons of indicators should be made. This includes comparison with longer term trends (both in absolute levels and rates of change) in the: housing market area; similar demographic and economic areas; and nationally. A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”**

6.1.10 It is therefore clear that where market signals are apparent (in any of the indicators assessed) there is an absolute and clear direction that an upward adjustment to housing numbers is required. It is

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also clear that both the level of change and the rates of change are considerations and that local planning authorities need to carefully benchmark themselves against other areas. This should not simply be a case of considering neighbouring authorities but should look at, as well as these, local authorities on a national basis, if the demographic and economic indicators are relevant. Gladman are firmly of the view that considering comparisons purely against neighbouring authorities is not sufficiently robust and does not address the underlying issues which both the Framework and the PPG are trying to tackle with regard to housing.

- 6.1.11 What is of further importance when considering these issues is the period of time analysed when considering both relative and absolute change. It has become apparent in our consideration of a number of plans that many local planning authorities choose to look at periods of time which are not fully representative of the depth of the housing crisis which we are currently within.
- 6.1.12 Gladman is of the view that local planning authorities must take a long-term view when considering affordability and consider the relative and absolute change over a long term 15-20 year period, which coincides with the normal time span of a Local Plan. Authorities should assess as a constituent part of their OAN, how they can improve affordability over the life time of a plan to a point where affordability is more in line with average earnings and affordable mortgage lending rates. They should assess a level of housing over the 15-20 year plan period which would enable this step change and consider its deliverability in the plan. Only through planning for significant housing growth can local authorities realistically tackle market signals in the way advocated by the PPG and tackle the affordability and housing crisis.
- 6.1.13 The need to identify the full OAN before considering any issues with the ability of a Local Planning Authority to accommodate that level of development has been confirmed in the High Court. Most notably in *Solihull Metropolitan Borough Council v (1) Gallagher Homes Limited (2) Lioncourt Homes Limited* where it was considered that arriving at a housing requirement was a two-stage process and that first the unconstrained OAN must be arrived at. In the judgment, it was stated:

**“The NPPF indeed effected a radical change. It consisted in the two-step approach which paragraph 47 enjoined. The previous policy’s methodology was essentially the striking of a balance. By contrast paragraph 47 required the OAN [objectively assessed need] to be made first, and to be given effect in the Local Plan save only to the extent that that would be inconsistent with other NPPF policies. [...] The two-step approach is by no means barren or technical. It means that housing need is clearly and cleanly ascertained. And as the judge said at paragraph 94, “[h]ere, numbers matter; because the larger the need, the more pressure will or might be applied to [impinge] on other inconsistent policies”.**

- 6.1.14 Therefore, following the exercise to identify the full OAN for housing in an area:
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**“Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate.” (NPPF §152)**

6.1.15 This statement clearly sets out that local planning authorities should seek to deliver the full OAN and that this should be tested through the evidence base. Only where the evidence shows that this is not achievable, should they then test other options to see if any significant adverse impacts could be reduced or eliminated by pursuing these options. If this is not possible then they should test if the significant adverse impacts could be mitigated and where this is not possible, where compensatory measures may be appropriate.

6.1.16 The final stage of the process is outlined in §14 and involves a planning judgement as to whether, following all of the stages of the process outlined above:

**“Local Plans should meet OAN, with sufficient flexibility to adapt to rapid change, unless:**

- **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or**
- **specific policies in this Framework indicate development should be restricted.”**

6.1.17 It is also worth noting that the final part of this sentence refers to footnote 9 of the Framework which sets out the types of policies that the Government consider to be restrictive. These include:

**“sites protected under the Birds and Habitat Directive (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion”.**

6.1.18 Although this list is not exhaustive it is clear that local landscape designations, intrinsic value of the countryside, character of areas, green gaps etc. are not specifically mentioned as constraints by the Framework.

6.1.19 Obviously, the Government intends to standardise the calculation of housing need as set out in the White Paper on housing. As yet, we are unaware of what the new methodology will involve but the

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Council will need to keep the evidence base of the Local Plan under constant review to ensure that it reflects the latest guidance as the White Paper is implemented. It is anticipated that the consultation on the standardised housing needs calculation will take place in July/August 2017.

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## **7 SHARED STRATEGIC PLAN - TENDRING**

### **7.1 Overview**

7.1.1 Gladman note the positive intentions for the North Essex areas as outlined in paragraphs 1.1 – 1.13 of the Plan. Clearly there are a range of issues which promote the need for a strategic approach and Gladman support the concept of joint plan making to ensure that unmet housing needs can be met in a region or sub region. That said, Gladman note a number of concerns from the opening paragraphs of Section 1.

7.1.2 Firstly, it is noted in paragraph 1.8 that Chelmsford is part of the Housing Market Area (HMA) which encompasses the North Essex authorities who are preparing the joint plan, however they are not part of the joint plan making process. The Council will need to ensure that such an approach is robustly evidenced, and that regardless of the joint plan making between Colchester, Braintree and Tendring sufficient consideration of strategic issues as they relate to Chelmsford are undertaken through the Duty to Cooperate. For example, the planned opening of Crossrail which has its eastern terminus at Shenfield, near Chelmsford.

7.1.3 Similarly, the plan in paragraph 1.10 also acknowledges that the adjacent authorities of Maldon and Uttlesford sit outside the HMA, but that ongoing consideration has been given to strategic issues with these authorities. Gladman remain sceptical of the view that Maldon sits outside of the HMA, nevertheless, as we outline in the previous paragraph, it will be imperative that even if the above authorities are considered to be outside of the HMA the cross boundary strategic issues will require addressing through the Duty to Cooperate. In particular, with regard to Uttlesford due consideration will need to be given to key regional issues such as the planned growth at Stanstead Airport.

7.1.4 The plan in paragraph 1.25 clearly recognises the economic growth potential of the area, as we have highlighted above there are also regional infrastructure drivers which are likely to sustain significant economic growth over the plan period and beyond. Gladman are therefore supportive of the joint plan making initiative and its desire to sustainably meet development needs. The Councils however must not ignore their neighbouring authorities in Essex as they plan for the future of their districts.

### **7.2 Vision for the Strategic Area**

7.2.1 The vision for the areas is set out within paragraph 1.30 of the consultation document. Whilst Gladman are fully supportive of the ambitious nature of this vision, seeking for North Essex to be an area of significant growth over the period to 2033 and beyond, it is critical that the plan provides the policies which are capable of delivering this vision.

7.2.2 It is key that this positive vision remains within the strategic plan and that it seeks to provide for significant economic growth and housing to meet the full needs of the districts. Alongside this it is

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fundamental that the associated infrastructure is planned for and delivered at the appropriate time. These themes, critically, must also cascade down beyond the joint strategic plan and become the cornerstones for the development of the policies within the individual Local Plans.

- 7.2.3 Clearly North Essex has an important role to play, not just locally, but as a key element of wider national importance. Its location in the South East, largely free of constraints mean that as well as being able to capitalise on the economic growth of Essex, and the important infrastructure at Stanstead Airport and through Crossrail, it can make a significant contribution towards helping alleviate housing pressure on both London and the constrained Green Belt authorities to the south. These wider regional issues should not be forgotten when considering the context of North Essex and the vision and policies within the plans.

### **7.3 Policy SP1 – Presumption in Favour of Sustainable Development**

- 7.3.1 Gladman are fully supportive of the inclusion of the policy on Sustainable Development. The ethos of sustainable development is key to assessing planning proposals, it is the golden thread running through the NPPF.

### **7.4 Policy SP2 – Spatial Strategy for North Essex**

- 7.4.1 Gladman note the different spatial strategies for the component authorities within the Local Plan, we will comment on the spatial strategy for Tendring in the following section. With regard to the specific provision of Policy SP2, Gladman support the fact that growth will effectively come from development in and around existing settlements and through the new garden communities allocated in the plan. We also support the policy in recognising that the level of growth to be apportioned to a settlement will depend on the needs of that settlement and that in particular the diversification of the rural economy will be important. It will be important for the spatial strategies of the individual local plans to have these issues in mind when allocating sites and considering planning applications.
- 7.4.2 Gladman's experience is that the best way in which to ensure the delivery of housing targets is to maintain a good spread of sites and site typologies across the districts. When considering the housing needs in North Essex (and with one eye to the next plan period) it is reasonable for the Council to consider new settlements. Gladman would contend however, that there is an additional level of sites which could require further consideration by the Councils to ensure they can meet their short and medium term housing needs. Whilst the new garden settlements will help meet housing demands in the medium/long term, the level of infrastructure required to deliver the sites is costly and substantial. It is therefore likely to take time to implement.
- 7.4.3 On the other end of the scale the smaller allocations in the plan will no doubt deliver quickly. To fill the gap between the two, Gladman consider that the Council may wish to further assess proposals for new garden villages. These new settlements of typically 1,000-1,500 dwelling can be developed
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in places where there is considerable existing infrastructure and can be brought forward relatively quickly. Such proposals, if carefully selected, can contribute dwelling completions within the first 5-10 years of a plan period, thus giving the Council more of a buffer.

7.4.4 It is our view therefore, that the spatial strategy needs to recognise new garden villages as well as the larger garden settlements. These, in addition to the smaller allocations, will help the plan soundly meets its housing targets.

7.4.5 We consider these issues further below when we address the level of overall housing need in North Essex and when considering overall Local Plan trajectories. However at this time, whilst there is support for elements of policy SP2, without provision for the medium size sites, such as new Garden Villages we consider the spatial strategy would be problematic in delivering housing needs. We therefore consider it inconsistent with National Policy and not justified or effective and as such unsound.

## **7.5 Policy SP3 – Meeting Housing Needs**

7.5.1 Gladman object to Policy SP3 in that it fails to identify the full need for housing across the Housing Market Area (HMA).

7.5.2 Gladman instructed Barton Willmore to prepare a critique of the Council's latest housing needs evidence base to assess how robust the study was. The full report is attached as Appendix 2 and relates specifically to Tendring District. However, Barton Willmore undertook this exercise on an HMA basis and for ease of use, prepared three reports, one for each of the districts currently consulting upon their Plans (Braintree, Colchester and Tendring). The representations that Gladman have prepared for the other districts' consultations (Braintree and Colchester) contain the detailed reports relating to each of the respective authorities.

7.5.3 Barton Willmore consider that Maldon forms part of the wider HMA and should have been included within the study of housing needs.

7.5.4 Whilst the Housing Needs Update Report correctly identifies the demographic starting point for Braintree, Colchester and Chelmsford, it presents a figure for Tendring of 480 dwellings per annum which is below the DCLG 2014-based Household Projections starting point of 674 dwellings per annum. This is due to an adjustment which is made by the study to account for Unattributable Population Change (UPC). Barton Willmore consider that it is inappropriate to make such an adjustment because of a number of factors which are highlighted in Section 4 of their report (Appendix 2) and on this basis, they consider the correct demographic starting point for Tendring should be **674 dwellings per annum**.

7.5.5 No consideration has been made within the Housing Needs Update Report of alternative migration trends for Tendring whereas for Braintree, Colchester and Chelmsford alternative trends have been considered.

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- 7.5.6 The Housing Needs Update Report concludes that based upon the Greater London Authority (GLA) demographic scenario which looks at increased migration out of London, only an additional 74 dwellings per annum will be needed across the HMA to house out-migrants from London. The report concludes that this increase is insignificant and therefore does not make an adjustment to overall housing need in the HMA. Barton Willmore disagree as 74 dwellings per annum across the Plan period would total an additional 1,776 dwellings across the HMA.
- 7.5.7 The Housing Needs Update Report does not make any adjustment to address suppressed household formation which Barton Willmore have identified as an issue in Tendring due to undersupply and worsening affordability.
- 7.5.8 The Housing Needs Update Report does not provide a consistent approach to the assessment of the economic element of the housing needs calculation. A different approach is applied to Tendring based upon the demographic adjustment made for UPC. Barton Willmore consider that the approach to UPC employed is fundamentally flawed and consequently any adjustment to the economic element of the housing need calculation should similarly not include an adjustment for UPC.
- 7.5.9 The Housing Needs Update Report only considered a single economic forecast and economic forecasts can vary greatly between forecasting houses. In order to avoid any volatility, Barton Willmore suggest that the study should have considered economic forecasts from the three recognised forecasting houses and calculated a triangulated average.
- 7.5.10 Another weakness of the Housing Needs Update Report is that it provides no detail of how issues such as unemployment, commuting or economic activity rates have been considered in Tendring. Relying on Experian's Economic Activity Rates has been acknowledged by various Inspectors as risky as they place a reliance on high economic activity rates for older people.
- 7.5.11 Finally, whilst the Housing Needs Update Report acknowledges worsening Market Signals and makes an adjustment of a 15% uplift for Tendring, based upon the evidence and other methods of calculating the level of uplift required to address affordability, a higher uplift is justified.
- 7.5.12 In Barton Willmore's professional opinion, 550 dwellings per annum represents an under estimate of the level of housing need for Tendring and at the minimum, there is a need for **674 dwellings per annum** simply to meet the demographic need identified by DCLG in the household projections. Barton Willmore's overall conclusion is that the true level of housing need in Tendring is between 674 and 972 dwellings per annum.
- 7.5.13 This section has set out a brief summary of Barton Willmore's findings and for the detail, the Council should refer to the full report attached as Appendix 2.
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## **7.6 Policy SP5 –Infrastructure and Connectivity**

7.6.1 Gladman commissioned Strutt and Parker to undertake an assessment of the delivery of the North Essex Garden Communities. As this report covers all of the Garden Communities and relates specifically to the strategic Part 1 North Essex Plan (the subject of a joint Examination in Public), the detail of its findings has been covered in Gladman’s representations submitted as part of the response to the Colchester Borough Local Plan to avoid repetition.

7.6.2 Therefore, for Gladman’s response to Policy SP5 please see Gladman’s Colchester representations.

## **7.7 Policy SP7 – Development and Delivery of New Garden Communities in North Essex**

7.7.1 Gladman notes the proposal to establish three new garden communities which are on the Tendring/Colchester boundary, Colchester/Braintree boundary and West of Braintree. Gladman supports the concept of new garden communities which represent a potentially sustainable means of providing new homes, jobs and associated community infrastructure in the long term. It is, however, concerned that the scale, complexity and development requirements of the garden communities proposed is such that their anticipated deliverability is questionable and consequently considers that the Plan contains unrealistic expectations for the delivery of new housing on such developments.

7.7.2 The two new garden communities proposed for Braintree District are ultimately expected to deliver between 15,000 and 24,000 new homes (Colchester/ Braintree Borders) and between 7,000 and 10,000 homes (West of Braintree) respectively. Both are expected to deliver 2,500 homes in the Plan period. The plan only identifies broad search areas for both proposals and it is proposed that further detail will be provided in due course by additional Strategic Growth Development Plan Documents which will be prepared for both garden community proposals jointly with Colchester Borough Council and Uttlesford District Council respectively.

7.7.3 Similarly, the new garden community on the border between Colchester and Tendring is proposed to be allocated for 7,000-9,000 dwellings with 2,500 anticipated to be delivered within the Plan period. Again, the plan only identifies a broad area of search for the proposal and it is proposed that further detail will be provided in due course by additional Strategic Growth Development Plan Documents

7.7.4 Having regard to the need for the preparation of the Strategic Growth Development Plan Documents, a significant amount of land assembly to be undertaken, the need for a considerable amount of infrastructure to be provided and the expectation that these developments will each involve two authorities, Gladman considers that it is extremely unlikely that the delivery of new housing on these sites will be achieved within the timescales anticipated by the Councils.

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Furthermore, the inclusion of a requirement for Gypsy and Traveller provision to be made on the sites is also likely to add further complications (and thus delay) to the development process.

7.7.5 Gladman considers therefore, that there must be some degree of uncertainty as to whether the garden communities will deliver any homes at all during the plan period and that certainly the anticipated number of new homes that the Plan expects to be delivered within the plan period will be significantly less than set out in the policy.

7.7.6 Paragraph 1.108 of the Plan states that each of the garden communities is planned to deliver 2,500 dwellings and that no matter where they are physically built within the Local Plan period to 2033, they will be attributed as set out in section 2 of each of the individual Local Plans, or if more dwellings are built then on a 50:50 ratio between the two districts concerned." Gladman considers that such a manipulation of completions is artificial and is totally unjustified and unsupported by the NPPF and PPG. Dwelling completions can only accrue to the authority in which they are physically located. Bearing in mind that the location of the new garden communities are only indicative 'broad locations' at this stage, there is a possibility that when the extent of these proposed developments are finalised, the proportion of each site that is within one authority may actually be very small and its housing capacity may bear very little relationship with the above mentioned mechanism set out in the Local Plan.

## **7.8 Policy SP8 – Tendring/Colchester Border Garden Community**

7.8.1 The new garden community on the border of Tendring and Colchester is proposed in Policy SP8 for between 7,000 and 9,000 dwellings with 2,500 dwelling anticipated for delivery before the end of the Plan period in 2033.

7.8.2 Whilst Gladman support the concept of garden communities, we have concerns with various aspects of their deliverability and question whether 2,500 units will be delivered by the end of the Plan period.

7.8.3 The site also requires the provision of pitches for Gypsy and Travellers as part of the allocation which presents additional barriers to the delivery of the site.

7.8.4 Policy SP8 requires a Strategic Growth DPD to be prepared which will set out the form and boundary of the new community and will also include a concept plan detailing the disposition and quantity of future land uses together with a phasing and implementation strategy.

7.8.5 With the need to prepare the Strategic Growth DPD, along with a significant amount of land assembly to be undertaken, the need for a considerable amount of infrastructure to be provided and the expectation that the development will involve two authorities, Gladman consider that there will be significant lead-in times associated with the site which calls into question its ability to deliver 2,500 units by 2033.

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- 7.8.6 Policy SP8 also sets out a comprehensive and detailed list of requirements which will need to be provided as part of the development of the garden community. This includes 30% affordable housing, employment provision, a package of transport improvements, new healthcare facilities, new district and neighbourhood centres, a secondary school, primary schools and early-years facilities amongst other requirements.
- 7.8.7 With the requirement set out in Policy SP7 for the sequencing of development and infrastructure on the garden communities which needs to ensure that the latter is provided ahead of or in tandem with the development it supports, issues of development viability, cashflow and equalisation of developer contributions amongst the various interested parties will be complex. The legal agreements associated with any planning proposals for the site will similarly be lengthy and complex which will add significantly to the lead-in times associated with the site.
- 7.8.8 The work undertaken by Strutt and Parker on behalf of Gladman on the viability and deliverability of the garden community sites (submitted as part of the Gladman's representations on Part 1 of the Colchester Plan), coupled with the complexities outlined above, must call into question the ability of the garden communities to deliver the numbers of units that the Councils expect them to deliver in the Plan period. If this is the case, then additional sites will be required in the short to medium term to ensure housing delivery is maintained and a 5-year housing land supply can be demonstrated across the plan period before the garden communities come on stream. These sites should offer something different from the large scale strategic allocations to ensure competition in the market and to ensure that small to medium sized housebuilders have an opportunity to deliver sites within the districts. Smaller scale housing sites will therefore be required to plug the inevitable gap in housing supply and Gladman consider that the sites included in these representations offer suitable, available and deliverable alternatives which should be allocated in the Tendring Local Plan (See Appendices 3, 4, 5 and 6)..
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## 8 LOCAL PLAN FOR TENDRING

### 8.1 Vision and Objectives

- 8.1.1 Gladman support the Vision contained in the Tendring Local Plan which seeks to meet local housing needs through a range of high quality new housing. The Council should not only be seeking to meet local needs, but should do everything it can to exceed the housing requirement given the lack of delivery in the past and the uncertainty over unmet housing needs in London.
- 8.1.2 Gladman support in principle, the Vision to create a new garden suburb to the east of Colchester on the border with Tendring to help meet the needs of both areas, although we have concerns over the site's ability to deliver in the timeframe set out in Part 1 of the Plan.
- 8.1.3 Gladman also support the Council's Vision to deliver modest levels of housing growth in the larger villages to support local services and facilities and meet local housing needs in areas such as Lawford. However, it is considered that the smaller villages such as Ardleigh are also capable of providing modest housing growth, in scale with the existing settlements, to ensure that their current services and facilities are maintained and local housing need is met. This should be reflected in the Vision.
- 8.1.4 Gladman consider that Objective 1 should be amended to state that the main objective is to meet housing needs **in full** by providing new dwellings with sufficient variety to meet the needs of a growing and ageing population.
- 8.1.5 In allocating sites, the Council should therefore be mindful that to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. For any given time period, all else being equal, overall sales and build out rates are faster from 20 sites of 50 units than 10 sites of 100 units or 1 site of 1,000 units. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand. In summary, a wider variety of sites in the widest possible range of locations ensures all types of house builder have access to suitable land which in turn increases housing delivery.

### 8.2 Policy SPL1: Managing Growth

- 8.2.1 Whilst it is supported that the main urban areas continue to play a key role in the accommodation of future development within the district, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Para 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It is essential therefore, that the needs of the sustainable rural settlements across the district,

- including Lawford and Ardleigh are assessed and meaningful growth apportioned to them to ensure their ongoing vitality and viability.
- 8.2.2 Gladman support the inclusion of a detailed Settlement Hierarchy in Policy SPL1 of the Plan and the definition of Clacton, Harwich and Dovercourt as Strategic Urban Settlements. Gladman consider that the Garden Community on the border of Colchester and Tendring is a potential appropriate solution to delivering the level of housing growth required to meet the needs of both districts in the long term but do have concerns over the viability of the proposal and the timescale for delivery.
- 8.2.3 Gladman also support the identification of Lawford as a Smaller Urban Settlement where modest levels of housing growth will be directed. Lawford is a vibrant settlement which adjoins the built-up area of the town of Manningtree and provides the community with direct access to a primary school, GP surgery and other services within Manningtree including a high school, train station, a range of retail opportunities, a pharmacy, public houses and a Post Office.
- 8.2.4 Gladman consider that given Lawford's services and facilities and its lack of constraints, the settlement is capable of supporting further growth beyond the minimum 1,500 to 2,500 dwellings proposed for this tier of the settlement hierarchy within the Local Plan
- 8.2.5 However, Gladman consider that Ardleigh is miss-categorised as a Smaller Rural Settlement both in terms of its current levels of services and facilities and its proximity and connections to Colchester. The settlement is by far the best performing Smaller Rural Settlement in terms of overall sustainability and is served by a number of core services including a primary school, a G.P. Surgery, a Post Office, a convenience store and a public house. It also has a village hall, playing fields and various sports clubs. There is a good level of employment within a 20-minute travel time of the settlement and fast broadband speeds are available that are sufficient to support home working, leisure and business activities.
- 8.2.6 Ardleigh is therefore considered to be a sustainable settlement with good access to services and facilities to meet the daily needs of its residents. It is located in close proximity to Colchester with high quality bus service from early morning until the evening allowing easy access to the town for employment, education and leisure purposes. It is therefore considered that Ardleigh should be categorised as a Rural Service Centre.

### **8.3 Policy SPL2: Settlement Development Boundaries**

- 8.3.1 The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework.
- 8.3.2 The Policy has been substantially reviewed since the previous version of the Plan and is now more positive in its approach to development outside of the arbitrary Settlement Development
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Boundaries (SDB). The Council should recognise that a site's location outside of a SDB is only one factor that should be weighed in the planning balance when considering any particular proposal and it should not be the determinative factor in assessing whether a scheme is acceptable or not.

## **8.4 Policy SPL3: Sustainable Design**

8.4.1 Policy SPL3 introduces a large number of criteria which proposals **must** meet in order to be considered acceptable. Gladman would point out that the Framework is based on a planning balance exercise being undertaken by the decision maker and it is only where the harms of a proposal significantly and demonstrably outweigh the benefits that planning permission should be refused. Policy SPL3 should therefore be worded to allow the decision maker to undertake such a balancing exercise and so that failure to meet any one of the criteria listed would not automatically mean a failure to conform with the policy overall. At present, Policy SPL3 is not worded in this positive fashion and should be redrafted.

8.4.2 Criterion (a) under Part B of the Policy states that proposals should not lead to an unacceptable increase in congestion. This is contrary to the Framework as para 32 states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. Criterion (a) should be reworded to reflect this guidance.

8.4.3 Part C of Policy SPL3 also requires developers to consider the use of renewable energy and the reductions of emissions as part of any proposals. The Written Ministerial Statement of 25<sup>th</sup> March 2015 clearly states that improvements in energy efficiency and carbon reductions will be delivered through changes to Building Regulations with only a limited number of optional technical standards that can be required through local plans where supported by specific evidence. There is no evidence that the Local Plan should require such measures and therefore this reference should be deleted from the Policy.

## **8.5 Policy HP4: Safeguarded Local Greenspace**

8.5.1 Gladman take this opportunity to remind the Council of the tests which need to be met when seeking to designate Local Green Space (LGS).

8.5.2 Paragraph 77 of the Framework sets out the following in terms of when it is appropriate or not to designate land as a LGS.

*"The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*

- *Where the green space is in reasonably close proximity to the community it serves;*
- *Where the green area is demonstrably special to a local community and holds particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

- *Where the green area concerned is local in character and is not an extensive tract of land.”*

8.5.3 The Planning Practice Guidance (PPG) provides further guidance on LGS designations including paragraph ID. 37-015-20140306,

*“There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgement will inevitably be needed. However, paragraph 77 of the National Planning Policy Framework is clear that Local Green Space Designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.”*

## **8.6 Policy LP1: Housing Supply**

8.6.1 Gladman have some concerns with regards to the Housing Land Supply Policy LP1. Our issues with the overall housing requirement have been set out above in Section 7.5 and in the report prepared by Barton Willmore on our behalf (Appendix 2). It is therefore not necessary to repeat these here.

8.6.2 Paragraph 5.1.3 of the Plan refers to the 550 homes a year housing requirement as a target. This is not consistent with the Framework as housing requirements should be expressed as a minimum and should be exceeded if possible. This statement should therefore be amended.

8.6.3 The table set out within Section 5.1 of the Plan (Table A) also includes completions data from the start of the Plan period until 2016/17. This shows an existing shortfall in housing supply against the housing requirement totalling 826 units or one and a half years’ worth of supply. This is a significant under-supply of dwellings and represents real people in need of housing now.

8.6.4 In fact, Tendring have only achieved their housing requirement in one year (2016/17) out of the first four years of the plan period. Given the fact that the Council has also not met its housing requirement in 10 of the past 19 years between 1996/97 and 2014/15, it is inevitable that the Council needs to apply a 20% buffer to its housing requirement as required by the Framework for persistent under-delivery.

8.6.5 In addition, based upon the housing trajectory which is included in the latest Annual Monitoring Report (2015/2016), the Council are anticipating the delivery of just over 400 units in 2017/18 which again is below the new housing requirement, further adding to the housing under-supply.

8.6.6 Based on the guidance set out in the Planning Practice Guidance (PPG), the Council should be seeking to address this housing shortfall in the first five years of the Plan period. This would mean a significant step change in housing delivery for the Council once the Plan is adopted.

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- 8.6.7 It is therefore essential that the Council allocates a range of housing sites in a variety of locations and of a variety of sizes to ensure that the housing needs of local people are delivered in the short term, before the large scale strategic sites come on stream and to meet the significant backlog.
- 8.6.8 Gladman are also concerned with the level of windfall sites that the Council are including within the housing supply going forward. The Framework states that local planning authorities may make an allowance for windfall sites if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply going forward. Any allowance should be realistic having full regard to the Strategic Housing Land Availability Assessment (SHLAA). Therefore, in order to include a windfall allowance in the Plan, Tendring will have to provide robust and credible evidence on this source of supply to justify the 1,399 units which is included in the Local Plan.
- 8.6.9 The table on page 115 sets out that the Council's housing requirement over the Plan period is 11,000 units whilst the sources of supply listed total 12,001, a contingency of 9.1%. This is considered to be too little flexibility to mitigate against sites not coming forward as anticipated in the Local Plan. Given the issues raised in this representation regarding the speed of delivery of the strategic sites, it is considered that a 20% flexibility factor is built into the Local Plan which is equivalent to 2,200 units above the housing requirement.

## **8.7 Policy LP2: Housing Choice**

- 8.7.1 Gladman support Policy LP2 in that the Council will support the development of retirement complexes, extra care housing and other forms of residential accommodation aimed at meeting the future needs of older and disabled residents.

## **8.8 Policy LP3: Housing Density and Standards**

- 8.8.1 Gladman object to Policy LP3 in relation to the reference to national space standards. The Written Ministerial Statement (WMS) dated 25th March 2015 confirms that "the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG". Furthermore, with particular reference to the nationally described space standard, the NPPG (ID: 56-020-20150327) confirms "where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies". If the Council wishes to adopt this standard it should be justified by meeting the criteria set out in the NPPG including need, viability and impact on affordability. The Council therefore needs to provide sufficient evidence to justify adoption of either of these standards or delete reference to these standards in Policy LP3.

## **8.9 Policy LP5: Affordable and Council Housing**

8.9.1 There is an inconsistency in the Local Plan between the level of affordable housing required as set out in paragraph 5.1.4 (30%) and that set out in Policy LP5 (25%). This needs to be rectified in order to ensure the policy position is clear.

## **8.10 Policy LP10: Care, Independent Assisted Living**

8.10.1 Gladman support Policy LP10 on Care and Independent Assisted Living and in particular, the support shown for the construction of high quality care and extra-care housing in sustainable locations.

8.10.2 Gladman also support the Council's approach to care homes located outside of Settlement Development Boundaries as set out in Policy LP10.

## **8.11 Policy PP12: Improving Education and Skills**

8.11.1 The requirement to provide educational facilities is a key part of the Framework. Paragraph 72 states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. This should involve working closely with developers over schemes to assess the best possible solution to educational provision taking account of the capacity of all schools in the area that serve the development, the distance pupils travel to access schools and the most efficient and sustainable use of existing educational resources before requiring the provision of new facilities. Viability should also be a key consideration to ensure schemes are not prevented from being brought forward because of the need for significant infrastructure contributions. Gladman remind the Council that the lack of educational provision should not be used a reason for refusal as local planning authorities should work positively with the development industry to identify suitable and deliverable solutions to these issues.

## **8.12 Policy PPL3: The Rural Landscape**

8.12.1 Policy PPL3 on the Rural Landscape is unsound. The guidance set out in the Framework advocates a balancing exercise of all of the benefits of a proposal against the harms to determine if the harms, significantly and demonstrably outweigh the benefits.

8.12.2 In addition, any policy for the protection and enhancement of the environment should be established in light of the national policies contained in the Framework, particularly paragraphs 109 to 125.

8.12.3 Para 109 sets out that the planning system should contribute to and enhance valued landscapes with advice in Para 113 stating that Local Planning Authorities should set criteria based policies against which proposals for any development on or affecting such sites should be judged. In addition, Para 113 highlights that distinctions should be made between the hierarchy of

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international, national and locally designated sites so that protection is commensurate with their status.

8.12.4 It is important to note that this advice does not suggest a ban on all development in or adjacent to designated areas and that the weight that can be attached to any conflict with such designations should be aligned with their importance based on the hierarchy detailed above.

8.12.5 Policy PPL3 as written is therefore contrary to the Framework and should be reviewed to reflect the guidance contained above. In particular, the policy should be flexible enough to be able to accommodate new development, outside of existing development boundaries, to allow the Council to quickly address any issues in a shortfall in housing land supply against the plan requirement.

### **8.13 Policy PPL6: Strategic Green Gaps**

8.13.1 In terms of the natural environment, the identification of any local environmental designations, including Strategic Green Gaps and separation policies, must be predicated on a robust and comprehensive evidence base that can be used in the planning balance advocated by the Framework, allowing the Council to assess whether the adverse impacts of the loss of such areas significantly and demonstrably outweigh the benefits of delivering the full need for housing.

8.13.2 Green Gap policies have been questioned by Inspectors in recent appeal decisions as to whether they are compliant with the Framework and the Presumption in Favour of Sustainable Development. It is unlikely that any Green Gap policy will meet the tests of the Framework. Inspectors have dismissed similar policies as being inconsistent with the Framework in the determination of a number of recent Appeals. Gladman do not support the Green Gap policy approach due to its inconsistency with the Framework as it may prevent the Council from granting planning permissions in sustainable locations to meet its full objectively assessed need. The Council should therefore not continue to promote this policy designation.

### **8.14 Policy PPL8: Conservation Area**

8.14.1 Paragraphs 132 to 134 of the Framework relate specifically to designated heritage assets and highlight that the more important the asset the greater the weight that should be attached to it. The policies in the Local Plan therefore need to make such a distinction so as to ensure they are consistent with the Framework.

8.14.2 The Framework states that if the harm to a heritage asset is deemed to be substantial then the proposal needs to achieve substantial public benefits to outweigh that harm. If the harm is less than substantial, then the harm should be weighed against the public benefits of the proposal including securing its optimum viable use. The policies in the Local Plan should therefore make a distinction between the two tests included in the Framework for designated heritage assets to ensure they are sound.

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- 8.14.3 Paragraph 135 of the Framework relates specifically to non-designated heritage assets and the policy test that should be applied in these cases is that a balanced judgment should be reached having regard to the scale of any harm and the significance of the heritage asset. Once again, policies in the Local Plan need to reflect this guidance.
- 8.14.4 In addition, in light of the judgement in FODC v. SSCLG and Gladman Developments Ltd. [2016] EWHC 421 Admin, Gladman consider it is necessary for the TDLP to carry out an assessment of the potential impact of proposed development on heritage assets, as set out in paragraph 129 of the Framework. The Judgement concerns the interaction between paragraph 14 and paragraph 134 of the Framework, and the issues of the balancing exercise to be undertaken to assess the harm of any proposals against the benefits of the identified proposed development in accordance with paragraphs 133, 134 and 135 of the Framework. Gladman consider that the implications of the Judgement apply equally to both the decision-making process and the plan making process. Paragraph 134 is clear in talking about ‘development proposals’, a phrase which can apply equally to planning applications and proposed allocations. Furthermore, footnote 29 of the Framework clearly states that “The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking”. It is therefore essential that the implications of the above Judgment are fully considered in the context of both decision-taking and plan-making.

### **8.15 Policy PPL9: Listed Building**

- 8.15.1 Gladman object to Policy PPL9 on the same basis as set out above in Section 8.14.

### **8.16 Policy CP2: Improving the Transport Network**

- 8.16.1 Gladman object to Policy CP2 in that it states that proposals which would have any adverse transport impacts will not be granted planning permission. This is completely contrary to the Framework.
- 8.16.2 Para 32 of the Framework states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. Policy CP2 should therefore be reworded to avoid it being unsound.

### **8.17 Policy DI1: Infrastructure Delivery and Impact Mitigation**

- 8.17.1 Gladman object to Policy DI1 in that there is no definition within the Policy, nor supporting text, as to what the Council consider to be a minimum level of developer profit. This Policy is therefore unclear, not enforceable and the implications of the Policy cannot be properly tested. Reference to a minimum level of developer profit should therefore be removed from the Policy.
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## **9 SITE SUBMISSIONS**

### **9.1 Overview**

- 9.1.1 Gladman consider that there is an over reliance in the North Essex Part 1 Plan for Braintree, Colchester and Tendring on the strategic Garden Communities. These are all large-scale sites with significant requirements for infrastructure which will take a considerable amount of time to deliver. It is considered that the Councils' view that 2,500 units will be delivered on each of the Garden Communities by the end of the Plan period (2033) is ambitious and because of the reliance on the large-scale sites, there will be a shortfall of housing provision in the early years of the Plan.
- 9.1.2 Barton Willmore have also highlighted an issue with the OAN for Tendring suggesting that 550 dwellings per annum does not meet the full need for housing in the district and that, as a minimum, the Local Plan should be based on a minimum housing requirement of 674 dwellings per annum, with the need having the potential to be significantly higher than this figure.
- 9.1.3 There is also a need for the Local Plan for Tendring to be flexible to allow for changes in circumstances which include sites not coming forward as anticipated or delivering fewer units than expected. Typically, Inspectors are seeking an additional 20% above the housing requirement to ensure that the Local Plan meets or hopefully surpasses the housing requirement over the Plan period.
- 9.1.4 Therefore, in order to account for all of the above factors, it is considered that additional, small scale allocations should be made in the Tendring Local Plan to deliver housing in the short term, contributing to the Council's 5-year housing land supply and allowing small and medium sized housebuilders the opportunity to deliver sites in Tendring, thereby increasing delivery in the district.
- 9.1.5 Gladman are promoting a number of sites across the district which are located in sustainable settlements and are available, achievable and deliverable. The sites are listed below and are covered in more detail in the attached Development Briefs (Appendices 3, 4, 5 and 6). These sites should therefore be allocated in the Tending Local Plan.

### **9.2 Bromley Road, Parsons Heath**

- 9.2.1 Gladman is promoting land at Bromley Road, Parsons Heath for residential development (See Appendix 3). The 7.33-hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location.
- 9.2.2 The site is located on the eastern edge of Colchester and it is anticipated that around 4.2 hectares would be residential development, with the remainder comprising green infrastructure.
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- 9.2.3 The land lies to the south of Bromley Road and comprises two fields. It is well enclosed by tree and hedgerow cover along its boundaries with Churn Wood, Bromley Road and Salary Brook, which is located directly to the west of the site. Its north-eastern boundary adjoins the grounds of Hill Farm and Crockleford Grange. The site is opposite existing residential development at Longridge. The site is also adjacent to the large town of Colchester and falls within a broad location proposed as a new garden community on the Colchester-Tendring border.
- 9.2.4 Parsons Heath is a vibrant area on the edge of Colchester which offers a range of amenities within walking and cycling distance of the site. These are located in three main clusters: on Bromley Road, on Harwich Road/Parsons Heath and in Greenstead district centre. These areas offer services and facilities including nursery schools, primary schools, a secondary school, a health centre, pharmacy, leisure centre, library and places of worship.
- 9.2.5 The site is capable of delivering up to 145 dwellings of varying sizes, types and tenures including affordable housing delivered in accordance with planning policy and is capable of coming forward within the next 5 years.
- 9.2.6 The site is not subject to any national, local or other landscape designations and landscape buffers could be provided to the north and east of the site, adjacent to Churn Wood and Salary Brook, which would be designated as a new waterside park. The site is well-contained adjacent to the existing urban context and a residential development and associated green infrastructure could be incorporated within the local landscape without resulting in any unacceptable landscape or visual effects.
- 9.2.7 Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tendring Local Plan.

### **9.3 Grange Road, Lawford**

- 9.3.1 Gladman are promoting land at Grange Road to the south-west of Lawford for residential development (See Appendix 4). This 6.6-hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location.
- 9.3.2 It is currently envisaged that built development would only be situated in the southern part of the site in order to protect and enhance a Scheduled Monument in the northern portion. With this in mind the developable area is likely to be less than 6.6 hectares.
- 9.3.3 Lawford is a vibrant settlement which adjoins the built-up area of the town of Manningtree. The civil parish of Manningtree (which includes Lawford) is home to a population in the region of 5,700 people according to the 2011 Census.
- 9.3.4 Lawford is an active and successful community and provides residents with direct access to community facilities including:
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- Lawford Church of England Primary School
- Highfields County Primary School
- The Lawford GP Surgery

9.3.5 Lawford is also accessible to facilities in Manningtree, such as:

- Manningtree High School
- Manningtree Train Station
- A range of retailers including convenience stores
- Pharmacies
- Public Houses
- Post Office

9.3.6 Lawford (alongside Manningtree and Mistley) is identified within the emerging Local Plan as a suitable location to accommodate additional homes with an established town centre, employment areas and infrastructure. Gladman believe that Lawford is capable of supporting further growth beyond the minimum 1,500 to 2,500 dwellings proposed for this tier in the emerging Local Plan, so housing development need not be limited to this amount.

9.3.7 The site is capable of delivering up to 105 dwellings of varying sizes, types and tenures including affordable housing delivered in accordance with planning policy. The proposed development will follow a design-led approach, informed by consultation with the District Council, key stakeholders and the local community, responding sensitively to the site's setting and respecting the grain of the surrounding landscape, both built and undeveloped. The development will be a positive addition to Lawford, complementing the character of the surrounding area in terms of scale, density, character and quality.

9.3.8 Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tending Local Plan.

## **9.4 Wick Lane, Ardleigh**

9.4.1 Gladman is promoting land at Wick Lane, Ardleigh for residential development (Appendix 5). The 7.58-hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location. It is anticipated that around 4.2 hectares would be residential development, with the remainder comprising green infrastructure.

9.4.2 The land lies to the north of Wick Lane, at its junction with the A137 (Colchester Road). The southern boundary of the site abuts 12 existing properties on Colchester Road. Immediately east of the site lies St Mary's Church of England Primary School and land used by the neighbouring industrial area for the storage and distribution of agricultural machinery. The village centre is also situated to the

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east, focused along The Street and Colchester Road. Open countryside under arable cultivation lies to the north and west of the site.

9.4.3 Ardleigh is an active and successful community and provides residents with direct access to community facilities including:

- St Mary's Primary School;
- General Stores and Post Office;
- Newstrend newsagents;
- Ardleigh Surgery
- Ardleigh Village Hall.

9.4.4 Ardleigh is identified in the adopted and emerging versions of the Tendring District Local Plan as a suitable location to accommodate additional homes.

9.4.5 The site is capable of delivering up to 118 dwellings including affordable housing delivered in accordance with the Council's requirements. The site is not subject to any national, local or other landscape designations and is well contained within the landscape. A landscape appraisal has confirmed that through sensitive landscaping, green infrastructure provision and good quality design, any impact of a development on the countryside and the character of Ardleigh could be minimised.

9.4.6 A high-quality housing development would be a positive addition to Ardleigh, complementing the character of the surrounding area in terms of character and quality. Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tendring Local Plan.

## **9.5 Land East of Oakwood Park, Holland Road, Clacton**

9.5.1 Gladman are promoting land to the East of Oakwood Park, Holland Road to the north-east of Clacton Town Centre for residential development (See Appendix 6). This 11.6 ha site is located within the Settlement Development Boundary of Clacton to the east of the proposed allocation SAMU3.

9.5.2 Clacton is a Strategic Urban Settlement at the top of the Council's Settlement Hierarchy where a considerable level of new housing growth will be directed and the Council have accepted that growth in this location is sustainable by allocating land at Oakwood Park in Policy SAMU3.

9.5.3 The site is capable of delivering up to 300 residential units with associated community benefits, open space and affordable housing delivered in accordance with the Council's requirements. The site is not subject to any national, local or other landscape designations and is well contained within the landscape and landscape features would be retained where possible.

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- 9.5.4 A high-quality housing development would be a positive addition to Clacton, complementing the character of the surrounding area in terms of character and quality. Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tending Local Plan
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## 10 CONCLUSIONS

### 10.1 Overview

- 10.1.1 Having considered the TDLP, Gladman are concerned about a range of matters including the housing and employment needs, delivery of the Garden Communities, spatial distribution and several of the detailed development management policies.
- 10.1.2 The plan must be positively prepared, effective, justified and consistent with national policy to be found sound at examination. In the first instance, the Council must start with clearly defining a NPPF and PPG compliant OAN by developing an unconstrained requirement which properly follows the guidelines set out at the national level. The Council should then develop a robust housing requirement using this OAN as a starting point.
- 10.1.3 Gladman commissioned Barton Willmore to undertake a review of the Objectively Assessed Housing Need (OAHN) undertaken by the Council in 2017. The review (attached as Appendix 2) concludes that an unjustified approach has been taken to the issue of Unattributable Population Change in Tendring, the OAHN makes no adjustment for suppressed household formation in Tendring, it does not provide a consistent approach to the economic aspects of housing need across the HMA and there is evidence to suggest that a greater than 15% uplift should be applied to the OAHN for Tendring to address worsening Market Signals.
- 10.1.4 In Barton Willmore's professional opinion, 550 dwellings per annum represents an under estimate of the level of housing need for Tendring and at the minimum, there is a need for **674 dwellings per annum** simply to meet the demographic need identified by DCLG in the household projections. Barton Willmore's overall conclusion is that the true level of housing need in Tendring is between 674 and 972 dwellings per annum.
- 10.1.5 Careful consideration needs to be given to the spatial strategy that forms the basis of the spatial distribution of growth across the district. All sustainable settlements should be allowed to play their part in meeting their own housing and employment needs as well as contributing to the wider district's requirements. A flexible approach to delivering the development needs of the district will ensure the plan's ultimate deliverability and success.
- 10.1.6 Whilst it is supported that the main urban areas continue to play a key role in the accommodation of future development within the district, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Para 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability.
- 10.1.7 This is particularly the case given that with the complexities of delivering the Garden communities, it is considered that there is a significant shortfall of housing provision in the short to medium term which needs to be addressed through additional smaller scale housing allocations.
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10.1.8 With this in mind, Gladman are promoting a number of sites in sustainable locations which are available, achievable and deliverable and should be included within the Tendring Local Plan as residential allocations. These include:

- a. Bromley Road, Parsons Heath.
  - b. Grange Road, Lawford.
  - c. Wick Lane, Ardleigh.
  - d. Land East of Oakwood Park, Holland Road, Clacton.
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## **Appendix 1**

# **North Essex HMA (Tendring) Sustainability Appraisal Assessment**

**Lichfields**

**July 2017**

# **North Essex HMA Tendring District Council**

## **Sustainability Appraisal Assessment**

Gladman Developments

July 2017

**LICHFIELDS**

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## 1.0 Introduction

- 1.1 Gladman Developments is promoting various sites across the North Essex Housing Market Area (HMA). These sites are at various stages in the planning process and also range in size- from approximately 50 dwellings to a new Garden Village of up to 1,000 dwellings. Within Tendring District there are three **sites in Gladman's interest, for between 50 and up to 145 dwellings.**
- 1.2 The purpose of this report is to assess if the Sustainability Appraisal (SA) process in Tendring has been robust- **this is both in terms of its basis for underpinning the emerging Local Plans'** soundness and in determining the selection of sites. Tendring District currently has its Publication Draft Local Plan out to consultation until 28th July 2017. To date, there has been SA work covering the Strategic Plan for North Essex for the North Essex HMA authorities (Braintree, Colchester and Tendring) (June 2017), with the most recent SA work relating to the development of the emerging Local Plan being the Tendring District Publication Draft Local Plan SA (June 2017).
- 1.3 This assessment is set out against the requirements of the National Planning Policy Framework (NPPF) in paragraph 165 whereby *"a sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors."*
- 1.4 Following this the PPG (ID11-018) requires that different realistic and deliverable options for policies within the plan are tested, with the PPG setting out *"They must be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made."* The SA is required to set out why those reasonable alternatives were chosen. In terms of housing policies for a plan this means testing:
- 1 Reasonable alternatives on the quantum of development (i.e. the housing requirement); and,
  - 2 Reasonable alternatives on the distribution of development (i.e. the spatial strategy and combination of site allocations to be made).
- 1.5 The report is set out as follows:
- **Section 2.0** provides an overview of the approach to the Sustainability Assessment for the North Essex HMA and evaluates the robustness of the assessment for the Garden Community sites;
  - **Section 3.0** gives an overview of the SA work done specifically for Tendring District, in particular through the methodology and conclusions made in determining the quantum of development, spatial distribution and site selection for housing, as well as addressing **whether Gladman's sites in the District were fairly assessed;**
  - **Section 4.0** draws conclusions on the SA work.

## 2.0 Overview of the North Essex SA

- 2.1 The local authorities that make up the North Essex HMA (Braintree, Colchester and Tendring-excluding Chelmsford City Council) **are producing a common (or 'joint') Part 1 plan, which will** consist of the strategic plan for all three authorities. As part of this, the authorities undertook an SA which was published as the Section One for Local Plans (Reg 19) SA in June 2017. Part 2 of the Local Plan consists of the policies specifically for Tendring District up to 2033. At present it is at the Publication Draft stage, out for consultation until the 28<sup>th</sup> July, with the expectation that the Plan will be adopted in Autumn 2018.
- 2.2 This section will address whether the Section One for Local Plans (Reg 19) SA (June 2017) promotes sustainable development and effectively assesses reasonable alternatives against the preferred approaches included in the Strategic Plan for North Essex.
- 2.3 **Firstly**, in respect of the scale of growth across the area, the SA assesses three alternatives. Considering demographic projections and job growth forecasts, the SA utilises a starting point that 2,186 new homes will be needed every year in the HMA (excluding Chelmsford) between 2013 and 2033, based on an uplift of 15% in housing related to job growth, as established in the OAHN Study Update (November 2016). The SA assesses the alternative scenarios as included in the OAHN Study Update (November 2016) in meeting housing needs as:
- **Alternative 1** – A lower uplift in employment in the HMA than the policy approach (8%)
  - **Alternative 2** – A higher uplift in employment in the HMA than the policy approach (17%)
- 2.4 Alternative 2 comes out with mixed positive and negative results against the Sustainability Objectives (SO) compared to Alternative 1 where the impacts are unknown or neutral. More specifically, for Alternative 2 positive impacts were identified for housing, while there were negative impacts identified for landscapes as a result of higher growth than that stated in policy.
- 2.5 **Secondly**, in terms of the Spatial Strategy assessed in the SA, the preferred approach involves focusing growth on existing settlements- either within or adjoining them, with the majority in the principal settlements of each local authority and other development accommodated according to the settlement hierarchy for each District. Three garden communities are also proposed as part of this strategy, to accommodate 7,500 new homes in the Plan period. This preferred approach is predominantly positive; with the Council also expressing that should any of the preferred Garden Community options become undeliverable or unviable, that other options will be explored.
- 2.6 The reasonable alternatives considered in the SA against this preferred approach are:
- **Alternative 1** – A focus on allocating all the explored Garden Community options proposed in the Strategic area at smaller individual scales;
  - **Alternative 2** – The allocation of one Garden Community only;
  - **Alternative 3** – The allocation of two Garden Communities only;
  - **Alternative 4** – A focus on existing settlements only across the Strategic Area, commensurate to proportionate growth (exploring whether needs can be met without the allocation of Garden Communities); and
  - **Alternative 5** – A focus on stimulating infrastructure and investment opportunities across the Strategic Area.
- 2.7 The Council also asked that a sixth alternative be considered, which was put forward by the Campaign Against Urban Sprawl in Essex (CAUSE). It seeks to deliver infrastructure first, to deliver a frequent rail service and then accommodate between 6,000-9,000 homes (depending

on densities) along the Colchester-Clacton rail corridor (between Alresford, Great Bentley, Weeley and Thorpe le Soken).

- **Alternative 6 – CAUSE’s Metro Plan**

2.8 All alternatives were rejected against the sustainability objectives. It was assessed that Alternative 1 was strong for overall positive impacts, however it would not allow for distribution across existing settlements with overprovision in Colchester and housing and employment inequalities. Furthermore the addition of more Garden Communities since the Draft Local Plan in 2016, growth would be significantly above that of the OAN. Alternative 2, 3 and 4 were **rejected on the grounds that they would not meet the North Essex authorities’ housing requirement**. Alternative 5 was rejected on the grounds that it goes against the selection of Garden Communities that represent a good balance of opportunities and constraints and sustainability, rather than just economic needs. Alternative 6 was rejected for its focus on development in Tendring and lack of development for Braintree, its impact on environmental sustainability resulting from the geographical distribution of development and an increase in visitors to the coast due to the transport improvements and Tendring has also identified that it only has capacity for 550 dwellings per annum.

2.9 The North Essex SA assesses the Garden Community options across the HMA, based on the Town and Country Planning Association (TCPA) Garden City Principles. The SA only includes sites that can deliver at least 5,000 dwellings largely due to it being considered the tipping point for delivering a secondary school (see SA pg.185, 3<sup>rd</sup> paragraph). These are included in Policies SP8-SP10 of the Strategic Plan for North Essex. The six broad locations of Garden Villages in the HMA assessed were:

- **Tendring/Colchester Borders**- including three sub-options, this is a preferred option as it is believed to be able to stimulate infrastructure delivery and is a relatively unconstrained location;
- **North Colchester**- including two sub-options, this option has been rejected due to the limited scope for maximum sustainable benefits associated with adhering to Garden City principles;
- **Colchester/Braintree Borders**- including four sub-options and covering both Colchester BC and Braintree DC, this is a preferred option for similar reasons to that of East Colchester;
- **West of Braintree**- this includes two sub-options and covers Braintree DC as well as the potential to incorporate Uttlesford DC, it is a preferred option although the option incorporating Uttlesford land has been rejected at this stage on the basis that they are not working alongside the North Essex authorities;
- **CAUSE ‘Colchester Metro Plan’**- including one sub-option, this option has been rejected due to its inability to deliver the required growth and the deliverability, developability and availability of sites in this location; and
- **Monks Wood**- including one sub-option, this relies on the delivery of an A120 project to come forward. It is not guaranteed that this project will come forward at all and if it does, is not due to be completed until 2026.

2.10 The final two were not included in the Garden Communities assessed in the SA for the Draft **Local Plan in June 2016 (although CAUSE’s plan was considered for the spatial strategy as seen above)**. Their inclusion has come about through consultation since the Draft Plan was published. Three of the above options form policies SP8-10 of the Strategic Plan for North Essex- their assessment within the SA (June 2017) can be seen below.

## Has the SA assessed Garden Village allocations in the North Essex HMA robustly?

- 2.11 Considering the strategic nature of the Garden Communities and the fact that in some cases they cross over authority boundaries, they have been assessed within the North Essex SA. Three of the options for Garden Communities are allocated within the most recent iterations of the emerging Local Plans (Part 1) of the local authorities. These are Tendring/Colchester Borders, Colchester/Braintree Borders and West of Braintree- all for 2,500 homes each in the Plan period.
- 2.12 Appendix 1 of the North Essex SA (June 2017) assesses all the Garden Community options, with the table of reasons for selection or rejection is included below (Table 26 of the SA). A threshold for a 5,000 dwelling capacity for a site to be considered for a Garden Community was applied. This was considered to be largely based on the threshold for a mixed use development to deliver a secondary school (see SA pg.185, 3<sup>rd</sup> paragraph).

Table 2.1 The Garden Community Options in North Essex

Option	Sub-Option	Indicative Scheme	Reason for selection/rejection
Tendring/Colchester Borders	Option 1: Southern Land Focus	6,611 homes, 7ha mixed use, 5ha employment	The Tendring / Colchester Borders Garden Community has more opportunities for sustainable travel links into Colchester than other options, a major regional centre. The Garden Community is also in close proximity to the University and high quality employment opportunities. As one of the major centres in the region, Colchester offers a full range of facilities including a hospital and is a major shopping and cultural destination. This would provide high order services not on the garden community within a closer proximity with the opportunities for public transport, walking and cycling links. Colchester is also a major employer in the region and provides a good level and mix of employment opportunities. There is the opportunity to access these opportunities via public transport, walking and cycling.
	Option 2: A133 to Colchester-Ipswich rail line	8,834 homes, 10ha mixed use, 5ha employment	
	Option 3: North to South wrap	11,409 homes, 13ha mixed use, 7ha employment	
North Colchester	Option 1: East of Langham Lane focus	6,606 homes, 7ha mixed use, 7ha employment	The discounting of the North Colchester site for a Garden Community was based on the negative environmental impacts of a large Garden Community on an area of significant landscape and environmental value. Additionally, the deliverability and sustainability of Garden Communities was considered to be best served by their location in two distinct areas of the Borough as opposed to adjacent communities such as North Colchester.
	Option 2: Maximum Land Take	10,132 homes, 10ha mixed use, 10ha employment	
Colchester/Braintree Borders	Option 1: North and South of A12/Rail Corridor focus	16,861 homes, 9ha mixed use, 10ha employment	The Colchester Braintree borders site is in closer proximity to the mainline railway station at Marks Tey, which with upgraded facilities would give regular train links to London, Colchester and beyond within walking, cycling or bus rapid transport system to the station. There are also more opportunities for sustainable travel links into Colchester, a major regional centre of facilities and employment. The Colchester Braintree borders site is in
	Option 2: South of	17,182 homes, 9ha mixed use,	

Option	Sub-Option	Indicative Scheme	Reason for selection/rejection
	A120 and North of Marks Tey existing settlement	11ha employment	closer proximity to Colchester. As one of the major centres in the region, Colchester offers a full range of facilities including a hospital and is a major shopping and cultural destination. This would provide high order services not on the garden community within a closer proximity with the opportunities for public transport, walking and cycling links. Colchester is also a major employer in the region and provides a good level and mix of employment opportunities. There is the opportunity to access these opportunities via public transport, walking and cycling.
	Option 3: South of A120 Focus	13,105 homes, 7ha mixed use, 9ha employment	
	Option 4: Maximum land take	27,841 homes, 16ha mixed use 15ha employment	
West of Braintree	Option 1: Braintree DC only	9,665 homes, 12ha mixed use, 10ha employment	The West of Braintree garden community is suitable and deliverable. Further work will continue to be undertaken with Uttlesford District Council who will be shortly deciding whether to take forward additional land within UDC. If UDC chose to take this option forward, then further evolutions of the proposals will take place, taking into account a wider development area. Officers have balanced the impacts of development, such as the loss of high quality agricultural land and the change in character of the area, with the benefits of the long term delivery of new homes, infrastructure and community facilities and consider that a new standalone garden community is suitable for West of Braintree and are recommending that this is taken forward in the Local Plan.
	Option 2: Braintree DC and Uttlesford DC land	12,949 homes, 16ha mixed use, 13ha employment	
CAUSE 'Colchester Metro Plan'	Option 1: Metro Plan submission	6,000-8,000 dwellings	The CAUSE option has been rejected due its inability to deliver the required growth, linked to deliverability / developability and the availability / lack of promotion of land within the model to the required scales. It is also not considered that a series of smaller developments can successfully combine to meet the requirements of sustainability / Garden City principles.
Monks Wood	Option 1: Proposal as submitted	Up to 15,000 homes, 245,300sqm non-residential space	The option at Monks Wood is currently located on the highly trafficked and single carriageway section of the A120. The only other roads in the vicinity are very rural lanes in the vicinity and no opportunity to access a site of this size by other routes. If the A120 project is to go ahead, 1 of the 5 options could see the new A120 run through the site, the other 4 would be distant from the site. Whilst any upgrade option would provide capacity on the existing A120 network, there are no guarantees that the project will go forward. With the exception of option A travel to the strategic highway network would need to be via Marks Tey to the east or Braintree to the west. In addition the project is not due to complete until 2026, so completions would not be able to start until that date. The employment market in Braintree is less strong than Colchester and major new employment

Option	Sub-Option	Indicative Scheme	Reason for selection/rejection
			areas are proposed on the west side of Braintree which is in close proximity to the West of Braintree garden community.

Source: Section One for Local Plans (Reg 19) Sustainability Appraisal (June 2017)

2.13 Overall it is self-evident that the North Essex authorities have assessed a reasonable range of alternatives, with most of these options including multiple sub-options within them. It appears that the eventual selection of the three Garden Communities was a result of wanting them to be relatively evenly spread out across the three authorities, within the most sustainable locations in terms of being close to the main road network and District centres and also based on the feedback received through previous public consultations. Meanwhile other sites not included in the above table were rejected in both the call for sites process and issues and options stage on the grounds of scale (i.e. capacity for less than 5,000 dwellings and included in assessment in Section 2) and deliverability- including availability of sites.

2.14 However, the threshold of 5,000 dwellings appears to be entirely arbitrary and is considered potentially unreasonable as it artificially reduces the scope and range of reasonable alternatives considered for Garden Village locations. It is put forward on the basis that it is the tipping point at which a Garden Village can provide a secondary school, but the threshold is unjustified because:

- 1 **Information contained within The Essex County Council Developers’ Guide to Infrastructure Contributions – Revised Edition 2016** states that four forms of entry (600 pupils in the 11 to 16 range), is the minimum secondary school size that would normally be considered financially viable. This is then established to equate to 3,000 houses or a mixed development of over 4,000 houses and flats. The SA however states that *“what constituted a reasonable Garden Community option is 5,000 dwellings... broadly based on that of the threshold for the required provision of a new secondary school for a mixed-use development in the ECC Developer’s Guide to Infrastructure Contributions – Revised 2016”*. Another council within the North Essex HMA and therefore also subject to the Strategic Plan for North Essex SA- Braintree Council- also deem it appropriate to apply the 3,000 threshold identified by Essex County Council by also including evidence at paragraph 2.59 of their Local Plan SA (June 2017), that when assessing sites for housing allocations there should be the assumption that sites with capacity for at least 3,000 dwellings would provide a new secondary school. The scale of development to justify delivery of a secondary school (the apparent logic engaged by the SA to justify the threshold) is actually much lower than the threshold;
- 2 Sites of less than 5,000 dwellings can deliver new secondary schools and we are aware of examples of smaller garden villages being planned on this basis. In particular the SA fails to reflect that secondary schools will typically serve a wider catchment than the sole area they are located in; pinning such a threshold to delivery of a secondary school fails to reflect the various real world situations where smaller garden villages may still deliver schools. There is also no justification included in any of the SA work as to why the capacity to deliver a secondary school should be the criteria for the garden communities of North Essex.

- 3 The Government define a garden village as between 1,500 and 10,000 homes<sup>1</sup>. Therefore the SA takes a different definition as to the scale of garden village that could sustainably contribute towards meeting the housing needs of areas.
- 2.15 Notwithstanding, the above factors, the SA chooses to use a 5,000 dwelling threshold (see para 2.14, point 1) despite no justification given for it. The 5,000 dwelling capacity threshold appears arbitrary and unnecessarily high. **Overall therefore the SA's approach has considerable** shortcomings in assessing reasonable alternatives for new garden communities as the sites assessed were based on overly restrictive criteria and therefore failed to address all reasonable alternatives for garden communities across the three local authorities.
- 2.16 The criteria for minimum size garden communities should be reassessed and fully justified by the North Essex local authorities to establish what the real threshold for a garden community is. Currently Gladman have two potential new village sites of Coggeshall Road, Stisted (Braintree DC) and potentially Wakes Colne (Colchester BC) which have a capacity for up to 1,000 dwellings. At present it appears that the threshold for garden communities means that sites of this level of development will be unfairly assessed or excluded altogether from the SA. Section 3.0 will establish if housing allocations at the local authority level deem this to be the case.

## Summary

- 2.17 In terms of the spatial strategy, at this stage the range of alternatives explored against the preferred approach does not appear to be unreasonable.
- 2.18 The key issue highlighted which impacts on all three North Essex authorities is the restrictive nature of the screening out of reasonable alternatives for new garden communities for not meeting the 5,000 dwelling threshold while sites from 1,500 would be considered garden villages and 3,000 dwellings is the recognised threshold to deliver a secondary school in Essex. More clarity for this position is required here for the SA to be deemed robust as it seems likely that reasonable alternatives have been overlooked and as a result at this stage the preferred garden community options cannot be considered as the most sustainable options available.
- 2.19 It should be noted that if the OAN were to change again- as it did between the original OAHN Study in July 2015 and its update in November 2016- then the North Essex SA would need to properly factor in what the consequential impact would be.

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<sup>1</sup> HM Government <https://www.gov.uk/government/news/first-ever-garden-villages-named-with-government-support> (January 2017)

## 3.0 The Tendring Local Plan SA Approach

3.1 The most recent iteration of the emerging Local Plan- the Tendring District Council Local Plan Section 2: Draft Publication (Regulation 19)- and its accompanying SA were published in June 2017.

### Has the SA assessed reasonable alternatives for the scale of housing robustly?

3.2 The Council's preferred option is to deliver 11,000 between 2015 and 2033, at a rate of 550 dwellings per annum (dpa). The SA also looked at other alternatives for housing delivery:

- **Option 1** – A lower-range OAN growth scenario of an average of 500 dwellings per annum over the Plan period
- **Policy LP1** – A mid-range OAN growth scenario of an average of 550 dwellings per annum over the Plan period
- **Option 2** – A higher-range OAN growth scenario of an average of 600 dwellings per annum over the Plan period
- **Option 3** – An indicative higher growth scenario than that identified in the new OAN study (>600 dwellings per annum)
- **Option 4** – The previous Local Plan target of 375 dwellings per annum- an indicative lower growth scenario than that identified in the OAN study

3.3 The preferred approach was chosen as it was the figure recommended in the OAHN Study Update (November 2016) and because it represents the most appropriate quantum for development in regard to the most suitable, available, deliverable and developable sites explored in the plan-making process.

3.4 In terms of the other options, it seems that in some areas the alternatives involving a higher quantum of development have been unfairly assessed. For example, it is considered that Option 3 will not promote regeneration. However it can be argued that this scale of development will still require the development of regeneration sites while also including greenfield sites, thus meaning a minor negative impact is unjust.

3.5 Moreover it appears that Options 2 and 3 are viewed negatively due to the requirement that with this scale of development the Expanded Settlement at Weeley will have to come forward. Interestingly as Option 2 was the preferred option at the previous stage of the emerging Local Plan, its inclusion results in poor scores in terms of sustainable development and transport and climate change. For example, for climate change 600dpa is considered the tipping point at which emissions and pollution reach an uncertain and then negative impact, while development between 375dpa and 550dpa will have a positive impact across all of the measurements. There is no justification as to why this would be the case or the evidence that supports this position. Other examples where the impact is not effectively justified include where this 550dpa is considered the tipping point at which there would be a negative impact on reducing the need for greenfield development. There should be information on the availability of sites across the District, and in particular how much brownfield/regeneration land is available for this to be substantiated.

3.6 Overall however, the assessment of reasonable alternatives for the scale of housing within the SA does not appear to be unreasonable at this stage. A range of different scales of development have been assessed.

## Has the SA assessed reasonable alternatives for the distribution/strategy of housing robustly?

- 3.7 **The Council's preferred option** under Policy LP1 is to deliver 11,551 homes based on a strategy of:
- Large sites with planning permission/resolution to grant (5,527 homes)
  - Strategic allocations- mixed use (2,680 homes)
  - Strategic allocations- housing (564 homes)
  - Medium sized allocations (530 homes)
  - Tendring Colchester Garden Community (1,250 homes)
- 3.8 It appears that the spatial strategy is based on the settlement hierarchy (Policy SPL1) and no alternatives were considered reasonable for the distribution or spatial strategy for housing. This settlement hierarchy is set out as:
- 1 Strategic Urban Settlements (e.g. Clacton-on-Sea, Harwich and Tendring/Colchester Borders Garden Community)
  - 2 Smaller Urban Settlements (e.g. Frinton, Walton and Manningtree)
  - 3 Rural Service Settlements (e.g. Alresford, Great Bentley and Little Clacton)
  - 4 Smaller Rural Settlements (e.g. Ardleigh, Great Bromley and Tendring)
- 3.9 However, it was noted that at the Preferred Options stage of the Local Plan in 2016, the Expanded Settlement at Weeley had been included as an additional level in the hierarchy between smaller urban settlements and rural service settlements. Therefore this was considered as a reasonable alternative to introduce it into the hierarchy in the SA.
- 3.10 In assessing it against the sustainability objectives, this alternative achieves less significant positive impacts against the objectives in ensuring development is located sustainability and makes efficient use of land and minimising transport growth. This singular alternative was rejected in light of a reduction in the OAN for the District needing to be met.
- 3.11 Significantly however, the SA does not assess reasonable alternatives other than the settlement hierarchy approach, for example focusing on large strategic developments or infill development only or a hybrid method including a number of different approaches. This brings into question the robustness of the SA in respect of spatial strategy assessed. Although the Issues and Options consultation for the Local Plan (September 2015) sets out options for growth, these have not been assessed in either the Local Plan preferred options SA (August 2016) or the Local Plan Draft Publication SA (June 2017).
- 3.12 As included in the PPG (ID 11-018), different realistic and deliverable options that are distinctly different should be tested. Quite clearly no assessment of any reasonable alternatives has been made for the distribution of development, in particular testing any other approach that does not simply follow the settlement hierarchy. There is also no explanation included in the SA as to why any other potential alternatives to this approach were considered unreasonable. In this case it is evident that the SA has failed in its purpose and is therefore fundamentally flawed in supporting the Local Plan in putting forward the most sustainable approach to the distribution of development.

## Has the SA assessed reasonable alternatives for housing sites robustly?

- 3.13 The SA sets out the assessment of its housing sites within Appendices 1 and 2. These sites were **identified through the Council's** on-going SHELAA and Call for Sites process. The assessments are separated out into mixed use sites and housing sites.
- 3.14 For the mixed use sites, five sites have been allocated with a further seven alternative options also assessed. The strategic allocations were assessed in light of Garden City principles (as informed by the TCPA and NPPG) **while purely housing sites were assessed against a 'policy-off' approach.** The allocated sites vary in size from just 150 homes to 1,000, while the alternatives explored are much larger at between 675 and 5,400 dwellings. These mixed use site allocations are as follows:
- Tendring Colchester Borders Garden Community (1,250 dwellings)
  - Edme Maltings, Mistley (150 dwellings) SAMU1
  - Hartley Gardens, Clacton (800-1,000 dwellings) SAMU2
  - Oakland Park, Clacton (500 dwellings) SAMU3
  - Rouses Farm, Clacton (850 dwellings) SAMU4
  - South of Thorpe Road, Weeley (280 dwellings) SAMU5
- 3.15 There are a few disparities highlighted in the assessment of the mixed development sites which appear to give a slightly more favourable approach to allocated sites compared to the alternatives. A few examples of this are set out below:
- Allocated sites SAMU3 and SAMU4 are considered to be mixed use due to delivering community facilities as opposed to employment land- yet they are given a neutral impact for improving the range of employment opportunities to support a growing population. It is considered that this should be reassessed as a negative impact as their development is supporting a growing population but will not improve the range of employment opportunities through only providing community facilities.
  - For the objective of enhancing the vitality and viability of town centres, SAMU1 was only assessed as having a minor negative impact, while Alternative Option 6 is located in the same place and given a significant negative impact, with the reasoning being its lack of rail access to Clacton and ease of road access to Colchester. This should be reassessed so that both options are assessed as having the same impact- either both a minor negative impact or a significant impact- as at present this contributes to the potential of different conclusions being drawn on the most sustainable sites for allocation.
  - For the objective relating to the protection and enhancement of listed buildings, SAMU1 considered to have a minor negative impact due to a listed building being within the site boundary; however it is considered that this can be mitigated. Meanwhile Alternative Options 2 and 4 both contain scheduled monuments but are given significant negative impacts. It appears that here mitigation was only considered an option for the allocated site and as such the impact for Alternative Options 2 and 4 should be reassessed as minor negative impacts in consideration that mitigation would also be available for these sites. Alternatively the Council should set out why development near to a heritage asset could not be mitigated to the same extent as that considered for SAMU1.
- 3.16 In this final case the SA goes against the PPG (ID11-018) recommendation that ***“the sustainability appraisal must consider all reasonable alternatives and assess them in the same level of detail as the option the plan-maker proposes to take forward in the Local Plan (the***

*preferred approach*)." As such, it is suggested that there has not been a reasonable assessment of all the options, and that a more forensic assessment of this part of the SA would draw out more shortfalls in the assessment of the sites which could result in different outcomes for the most sustainable sites.

- 3.17 It is not clear why mixed housing sites were assessed against the garden city principles- all but **one of both the mixed use and housing only sites meets the Government's definition of a Garden Village** being between 1,500-10,000 homes and therefore this methodology is likely to award more significant positive impacts to larger sites. There is no justification for this methodology being applied.
- 3.18 For the strategic housing allocations, sites were excluded from the SA process if they gained planning permission in 2013-2017, if their position in the settlement hierarchy does not allocate any development there and if the capacity of the site is for under 10 dwellings. The assessment has also been influenced by PAS guidance which sets out exclusionary criteria (e.g. Footnote 9 constraints under the NPPF), discretionary criteria (e.g. PRow and agricultural land) and deliverability criteria (e.g. land ownership and viability). The assessment assessed sites based on the settlement they are in and whether they are strategic/medium-sized or non-strategic (under 60 dwellings). There are just three strategic housing allocations varying in size between 115-300 dwellings. These are assessed against all alternatives that can accommodate over 10 dwellings as included in Appendix 2 of the SA (June 2017). There is no clear justification as to why these three strategic sites have been chosen, and why they have been chosen in these locations ahead of other sites in other settlements as they are all assessed based on what settlement they are in and there is no commentary to support their assessment against the SA objectives and why the other sites have been excluded as preferred allocations. This goes against the guidance in the PPG (ID11-018) whereby:
- "The sustainability appraisal should outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives."***
- 3.19 Further to this, the key issue with not providing the commentary to the assessment is that there are clearly some sites which score better against the SA objectives than the allocated sites but it is not clear if they have been rejected for another reason such as deliverability or that against this the sites chosen do pass these criteria. As such the preferred sites have not been effectively justified in the SA and therefore cannot be supported as sustainable allocations in the Local Plan.
- 3.20 Significantly in assessing all housing allocation sites, there is a clear issue with separating out all the sites into their settlement location in the District. This could quite easily lead to more sustainable sites being unfairly excluded as a preferred option. This would occur whereby a settlement has reached the capacity the Council has decided is sustainable for it and thus a sustainable site there is rejected, while less sustainable sites elsewhere are selected to meet that settlements capacity aim. **This approach is likely also causing a 'sustainability trap'**<sup>2</sup> whereby:
- "Smaller and rural communities [are considered] as unsustainable in principle. Local authorities are now increasingly defining settlement hierarchies as a basis for determining the permissible scale and nature of sustainable development. However, few if any have devised any means by which a settlement at a lower level can migrate up the sustainability ladder. This all results in a 'sustainability trap'. In essence, otherwise beneficial development can only be approved if the settlement is considered sustainable in the first place."***

<sup>2</sup> 'Living Working Countryside: The Taylor Review of Rural Economy and Affordable Housing' 2008  
[http://www.wensumalliance.org.uk/publications/Taylor\\_Review\\_Livingworkingcountryside.pdf](http://www.wensumalliance.org.uk/publications/Taylor_Review_Livingworkingcountryside.pdf)

- 3.21 Consequently, as the SA has failed to robustly assess the reasonable alternatives for the distribution of housing this sustainability trap adds significant weight to the likelihood that the SA has failed in its objectives and that therefore the sites allocated are not sustainable either. It is also unclear how the proportion of development has been assigned to each tier of the settlement hierarchy and as a result it is evident that reasonable alternatives for housing allocations (both for mixed and housing only sites) have either been unfairly assessed or completely ignored on the grounds of where they are in the settlement hierarchy.
- 3.22 It is therefore considered that there are significant **shortcomings in the SA's approach**, and that this contributes to the SA not meeting its requirements and therefore potentially not being robust in the case of assessing site allocations. The allocations chosen as the preferred options are also disadvantaged from not being selected out of a robust housing distribution strategy. The SA does not separate out its assessment of strategic and smaller housing allocations and provides no basis as to why this has not been done or how this can be supported. Finally the lack of a commentary for all of the sites only for housing means there is no justification whatsoever in support of the selection of the preferred options and as such this cannot form a substantive platform upon which sound housing allocations options can be supported in the Local Plan.

### **Gladman's land interests in Tendring**

- 3.23 **It is difficult to fully assess Gladman's sites as the SHELAA 2017 is not currently available and** there are no site locations included within the SA. However the following considerations have been made.

#### **Bromley Road, Parsons Heath**

- 3.24 The site at Bromley Road, Parsons Heath falls into the broad location for the Colchester/Tendring Borders Garden Community. Of all of the sub-options included, the site falls either partly or wholly within all of them. **Gladman's site itself has not been assessed** individually however it can be considered that it would be likely to be viewed favourably due to its location within a preferred Garden Community location. An application was submitted for 145 dwellings in May 2017 (17/00859/OUT) and is currently awaiting a decision.

#### **Grange Road, Lawford**

- 3.25 The site at Grange Road, Lawford is not currently known by the Council. It falls into the settlement hierarchy under smaller urban settlements of Manningtree (including Lawford and Mistley) where the two preferred housing allocations total 175 dwellings.
- 3.26 It is unknown whether the site MA13 (land off Grange Road) is the Gladman site, part of the site or another site- however it is likely to at least be nearby based on its address. It is stated to have **capacity for 30 dwellings compared to Gladman's site for 50-100 dwellings**. This site scores better against the SA objectives than the preferred options overall, in particular against the measurements for GP services, the historic environment and secondary school provision.
- 3.27 Although MA13 also then has a minor negative impact for secondary school capacity, one of the preferred options has a significant negative impact for secondary school provision but a minor positive score for secondary school capacity. In terms of the SA, it should be more important that the secondary school is nearby and capacity can be improved through financial contributions rather than the secondary school being outside of a sustainable distance. In general assessment terms, this highlights an issue with the methodology that in sustainability terms having a school closer to the site should be given more importance than one that is further away but has considerable capacity for new pupils. The only other area where the Lawford site performs worse against the allocated sites was for a minor negative impact against

greenfield/brownfield/landscape in regards to the sustainable location of development. Overall considering the relative weight which should be awarded to these SA objectives for the assessed sites in this settlement, the MA13 site performs better against the SA objectives than in particular the land south of Pound Corner (MA17) site which is preferred.

- 3.28 If this is not the Gladman site, it will at least be in close proximity and receive similar results against the SA objectives like those highlighted above regarding the accessibility for certain services and facilities. Considering the use of the PAS guidance to exclude sites, it could also be considered that any questions over the deliverability criteria would be resolved through Gladman supporting the site for development. As the site is not known to the Council no clear conclusions can be drawn as to whether this site was fairly assessed, although it does appear that there may have been some unfair assessment for the Manningtree sites overall.

### **Wick Lane, Ardleigh**

- 3.29 The site at Wick Lane has not been assessed within the SA and significantly no sites within Ardleigh have been included as preferred options in the Publication Draft Plan. This is likely to **be associated with Ardleigh's position in the settlement hierarchy as a smaller rural settlement** and therefore having a reduced focus for development. It could therefore be contributing to the sustainability trap as set out in the previous section.

## 4.0 Conclusions

- 4.1 Although the quantity of sites assessed for garden communities is deemed acceptable, the site selection has been artificially suppressed by the 5,000 dwelling threshold applied for the sites to be assessed in the first place. There is overwhelming evidence that this has resulted in a narrow focus and there is a distinct lack of justification as to why this has been done. As a result there is likely to be a number of garden communities that the SA has completely failed to consider.
- 4.2 The key aspect of the Tendring SA work which means it is not robust is its assessment of the reasonable alternatives for the spatial distribution of housing. The SA only explores a settlement hierarchy approach and there is no evidence to support this is the most sustainable approach to development in Tendring District. This makes the SA fundamentally flawed.
- 4.3 **As a consequence of this the SA's approach to** site allocations for Tendring cannot be considered robust as they are built on an unjustified approach to housing distribution. They have been considered against which settlement they are in and therefore this has the potential to exclude more sustainable sites just because they are located in a settlement where there are already enough site allocations or it is within a settlement which is further down in the hierarchy.
- 4.4 On top of this, nowhere in the SA is the appropriate level of development for each settlement in the hierarchy established and therefore it is completely unknown if this is the most sustainable level that could be achieved. There is also no clarity as to why strategic housing allocations have been chosen in the areas they have been and why those in other locations have been excluded. As such there is reason to believe that the assessment of strategic and smaller site allocations has not been done in a robust manner.
- 4.5 The assessment of sites in **Gladman's interests also suggests there may be some shortfalls in** assessment in terms of the reasons behind their inclusion and exclusion but without more information it is difficult to draw some solid conclusions.
- 4.6 On the whole, these factors set out that there is a distinct lack of information supporting any of the conclusions made on housing distribution and site allocations and therefore they cannot be relied upon within this SA and to allow the Local Plan to be found sound.



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## **Appendix 2**

# **Technical Review of the Council's Housing Needs Evidence Base: Tendring District Barton Willmore 2017**

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# TECHNICAL REVIEW OF COUNCIL'S HOUSING NEED EVIDENCE BASE

## TENDRING DISTRICT

Prepared on behalf of  
Gladman Developments Ltd

July 2017

## HOUSING NEED TECHNICAL REVIEW

### TENDRING DISTRICT

July 2017

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## APPENDIX 1: AFFORDABILITY CALCULATOR - TENDRING

## 1.0 INTRODUCTION

- 1.1 This report has been prepared by Barton Willmore LLP's National Research Team on behalf of Gladman Developments Ltd.
- 1.2 The National Planning Policy Framework (NPPF) states that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed need for market and affordable housing (paragraph 47).
- 1.3 This report provides a review, critique, and evaluation of Tendring District Council's most recent evidence in respect of the objective assessment of housing need (OAHN).
- 1.4 At the time of writing the most recent OAHN evidence available from the Council is the 'Objectively Assessed Housing Need Study, November 2016 Update' produced by Peter Brett Associates (PBA) for the local authorities of Braintree, Chelmsford, Colchester and Tendring.
- 1.5 The OAHN Update supersedes the original July 2015 OAHN Study and a January 2016 Update to take account of the 2014-based official Government population and household projections, which provide the starting point for assessing housing need.
- 1.6 The OAHN Update also gives further consideration to the issue of Unattributable Population Change (UPC), utilising a data tool published by the Office for National Statistics (ONS) in September 2015 which was considered in the January 2016 Update. However, the OAHN Update considers the issue of UPC in the context of the more recent 2014-based Government projections. The treatment of UPC has a particular impact on the assessment of housing need for Tendring when compared with the other authorities of the Housing Market Area (HMA).
- 1.7 Table 1.1 summarises the OAHN derived from the original July 2015 OAHN Study and the November 2016 Update. The reports provide OAHN for the four authorities considered by the Council to represent the HMA.

**Table 1.1: Comparison of OAHN assessed by the PBA original July 2015 Study and November 2016 Update (2013-2037)**

	July 2015 Dwellings per annum	November 2016 Dwellings per annum
Braintree	845	716
Chelmsford	775	805
Colchester	920	920
Tendring	597	550

Source: PBA

- 1.8 The November 2016 OAHN Update concludes that full OAHN for Tendring is 550 dwellings per annum and on this basis Policy SP3 of the Publication Draft Local Plan for Tendring makes provision for 550 dwellings per annum (dpa) over the Plan period 2013-2033.
- 1.9 In this context, the purpose of this report is to review the November 2016 OAHN Update to determine whether 550 dpa does reflect full OAHN for Tendring District. We review the OAHN Update in the context of the policies of the NPPF and the NPPF's accompanying Planning Practice Guidance (PPG). Specifically, section ID2a of the PPG – 'Housing and Economic Development Needs Assessments' (HEDNA) – which sets out the recommended methodology to be followed in calculating the OAHN. This report reviews the OAHN Update in the context of the stepped approach prescribed by the PPG's HEDNA methodology.
- 1.10 This review is structured as follows:
- 1.11 **Chapter 2** outlines the approach to establishing OAHN required by the NPPF and PPG. A summary of proposed changes set out in the recent Housing White Paper (February 2017) are also presented.
- 1.12 **Chapter 3** reviews the definition of the Housing Market Area (HMA) adopted by the Council for assessing OAHN.
- 1.13 **Chapter 4** addresses the demographic projections presented in the Council's evidence base, specifically the population projections and their conversion into household projections.
- 1.14 **Chapter 5** addresses the approach and results reported in the Council's evidence base concerning the number of homes needed to support future jobs growth in Tendring. Specifically, this chapter considers the number of jobs that the evidence base suggests the OAHN should be underpinned by and how that number of jobs is converted into homes.

- 1.15 **Chapter 6** examines the market signals evidence presented in the Council's evidence, paying particular attention to affordability, and appraises the conclusions regarding market signals (worsening or not) and the proposed response. An alternative to the conclusions and response to market signals by the Council's evidence is presented alongside an explanation as to why it should be preferred.
- 1.16 Finally, **Chapter 7** summarises the main findings of this review and presents overall conclusions on whether there is the potential for an increase to the Council's existing OAHN.

## 2.0 THE APPROACH TO ASSESSING HOUSING NEED

2.1 This chapter summarises the national planning policy rationale and practice guidance for objectively assessing housing need.

### **i) National Planning Policy Framework (NPPF, 27 March 2012)**

2.2 NPPF sets out the Government's planning policies for England and how these are expected to be applied. NPPF states that planning should proactively drive and support sustainable economic development to deliver the homes that the country needs, and that every effort should be made to objectively identify and then meet housing needs, taking account of market signals (paragraph 17).

2.3 In respect of delivering a wide choice of high quality homes, NPPF confirms the need for local authorities to boost significantly the supply of housing. To do so, it states that local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area (paragraph 47).

2.4 With regard to plan-making, local planning authorities are directed to set out strategic priorities for their area in the Local Plan, including policies to deliver the homes and jobs needed in the area (paragraph 156).

2.5 Further, Local Plans are to be based on adequate, up to date and relevant evidence, integrating assessments of and strategies for housing and employment uses, taking full account of relevant market and economic signals (paragraph 158).

2.6 For plan-making purposes, local planning authorities are required to clearly understand housing needs in their area. To do so they should prepare a Strategic Housing Market Assessment (SHMA) that identifies the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period (paragraph 159).

### **ii) Planning Practice Guidance (PPG, 06 March 2014)**

2.7 PPG was issued as a web based resource on 6th March 2014. The Housing and Economic Development Needs Assessments (HEDNA) section of the PPG (ID2a) is intended to provide guidance to local planning authorities on how to determine the full OAHN and present it in a SHMA as required by paragraph 159 of the NPPF.

- 2.8 The PPG's HEDNA section confirms that the OAHN must be an objective assessment based on facts and unbiased evidence, and that constraints should not be applied to the OAHN (ID2a, paragraph 4). The OAHN should be 'policy off', and use of the PPG methodology for assessing OAHN is strongly recommended, to ensure that the assessment is transparent (ID2a, paragraph 5).
- 2.9 The full methodology for establishing the OAHN and affordable housing is set out in paragraphs ID2a-014 to 029 of the PPG's HEDNA section. However, the guidance related to establishing OAHN is set out between paragraphs 15 and 20. In this study an assessment of OAHN and not affordable housing is provided. The relevant paragraphs of PPG predominantly referred to are therefore paragraphs 15-20.
- 2.10 The PPG HEDNA methodology is summarised as follows:

*Step1 - Starting point estimate of need*

- 2.11 The methodology states that the starting point for assessing overall housing need should be the household projections published by the Department for Communities and Local Government, but that they are trends based and may require adjustment to reflect factors, such as unmet or suppressed need, not captured in past trends (ID2a 015).

**"The household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends. For example, formation rates may have been suppressed historically by under-supply and worsening affordability of housing." (2a-015) (Our emphasis)**

*Step 2 - Adjusting for demographic evidence*

- 2.12 The PPG methodology advises that adjustments to household projection-based estimates of overall housing need should be made on the basis of established sources of robust evidence, such as ONS estimates (2a-017). This includes sensitivity testing for alternative migration trends.

*Step 3 - Adjusting for likely change in job numbers*

- 2.13 In addition to taking into account demographic evidence the methodology states that job trends and or forecasts should also be taken into account when assessing overall housing need. The implication is that housing numbers should be increased where this will enable labour force supply to match projected job growth (2a-018).

**“Where the supply of working age population that is economically active (labour force supply) is less than the projected job growth, this could result in unsustainable commuting patterns ... and could reduce the resilience of local businesses. In such circumstances, plan makers will need to consider how the location of new housing or infrastructure development could help address these problems.”**  
(2a-018)

*Step 4 - Adjusting for market signals*

- 2.14 The final part of the methodology regarding overall housing need is concerned with market signals and their implications for housing supply (2a-019:020).

**“The housing need number suggested by household projections (the starting point) should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings.”** (2a-019)

- 2.15 Assessment of market signals is a further test intended to inform whether the starting point estimate of overall housing need (the household projections) should be adjusted upwards. Particular attention is given to the issue of affordability (2a-020).

**“The more significant the affordability constraints ... and the stronger other indicators of high demand ... the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.”** (2a-020)

*Step 5 - Overall housing need*

- 2.16 An objective assessment of overall housing need can be summarised as a test of whether the household projection based starting point can be reconciled with a) the latest demographic evidence, b) the ability to accommodate projected job demand, c) the requirement to address worsening market signals. If it cannot be reconciled, then an adjustment should be made.

- 2.17 The extent of any adjustment should be based on the extent to which it passes each test. That is:

- It will at least equal the housing need number implied by the latest demographic evidence;
- It will at least accommodate projected job demand; and,
- On reasonable assumptions, it could be expected to improve affordability.

### *Affordable Housing Need Assessment*

2.18 The methodology for assessing affordable housing need is set out at 2a-022 to 029 and is largely unchanged from the methodology it supersedes (SHMA 2007). In summary, total affordable need is estimated by subtracting total available stock from total gross need. Whilst it has no bearing on the assessment of overall housing need, delivering the required number of affordable homes can be used to justify an increase in planned housing supply (2a-029).

**“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments ... An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.”** (2a-029) (our emphasis)

#### **iii) Housing White Paper – ‘Fixing our Broken Housing Market’ (February 2017)**

2.19 The Housing White Paper was published in February 2017, and acknowledges a **need for 225-275,000 new homes per annum** to keep up with population growth and start to tackle years of under-supply in the country.<sup>1</sup> The Paper acknowledges that one of the main problems leading to significant under-supply of housing has been the failure of local authorities to plan for the homes they need,<sup>2</sup> and as a consequence the ratio of average house prices to average earnings has more than doubled since 1998.<sup>3</sup>

2.20 In seeking to address these problems, the White Paper states how a ‘radical rethink’ of the approach to home building is required. This includes the existing approach to establishing the Objectively Assessed Housing Need (OAHN). The White Paper therefore states the following in respect of how the OAHN is proposed to be reformed:

**“at the moment, some local authorities can duck potentially difficult decisions, because they are free to come up with their own methodology for calculating ‘objectively assessed need’. So, we are going to consult on a new standard methodology for calculating ‘objectively assessed need’, and encourage councils to plan on this basis.”**<sup>4</sup>

<sup>1</sup> Paragraph 2, ‘Our housing market is broken’, page 9, ‘Fixing our broken housing market’, February 2017

<sup>2</sup> Paragraph 4, ‘Our housing market is broken’, page 9, ‘Fixing our broken housing market’, February 2017

<sup>3</sup> Paragraph 5, ‘Our housing market is broken’, page 9, ‘Fixing our broken housing market’, February 2017

<sup>4</sup> Paragraph 7, ‘What we’re going to do about it’, page 14, ‘Fixing our broken housing market’, February 2017

2.21 The White Paper acknowledges the recommendations in this regard of the Local Plans Expert Group (LPEG) report, which concluded that a standardised methodology was one of the most important reforms that could be made to improve plan-making.<sup>5</sup>

2.22 The White Paper confirms that Councils will be incentivised to use the new standard approach, although where it is justified, deviation from the standard approach may be acceptable:

**“We want councils to use the new standardised approach as they produce their plans and will incentivise them to do so. We expect councils that decide not to use the new approach to explain why not and to justify to the Planning Inspectorate the methodology they have adopted in their area.”<sup>6</sup>**

2.23 The standardised methodology will therefore provide the ‘baseline’ OAHN, to which amendments can be made if it is deemed to have been justified. The timescale for the new standardised methodology is confirmed in the White Paper as follows:

**“To incentivise authorities to get plans in place, in the absence of an up-to-date local or strategic plan we propose that by April 2018 the new methodology for calculating objectively assessed requirement would apply as the baseline for assessing five year housing land supply and housing delivery.”<sup>7</sup> (Our emphasis)**

2.24 Consultation on the proposed changes is expected in July 2017 (although not yet available at the time of writing this report). However, in the interim period the existing OAHN methodology set out in the PPG’s Housing and Economic Development Needs Assessment (HEDNA) section is to be followed.

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<sup>5</sup> Paragraph A.21, page 74, ‘Fixing our broken housing market’, February 2017

<sup>6</sup> Paragraph 1.14, ‘Assessing housing requirements’, page 23, ‘Fixing our broken housing market’, February 2017

<sup>7</sup> Paragraph 1.15, ‘Assessing housing requirements’, page 23, ‘Fixing our broken housing market’, February 2017

### 3.0 HMA DEFINITION APPLIED IN THE COUNCIL'S EVIDENCE

3.1 The NPPF/PPG HEDNA requires local planning authorities to assess housing need within the relevant housing market area (HMA), rather than simply within their own boundaries.

3.2 In defining 'What is a housing market area?', the PPG states:

**"A housing market area is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work. The extent of the housing market areas identified will vary, and many will in practice cut across various local planning authority administrative boundaries. Local planning authorities should work with all the other constituent authorities under the Duty to Cooperate."**<sup>8</sup>

3.3 The November 2016 OAHN Update gives consideration to research carried out by academics from the Centre for Urban & Regional Development Studies (CURDS) at Newcastle University which created a robust set of HMA definitions within a tiered structure.

3.4 The OAHN Update acknowledges a Strategic HMA defined by CURDS that consists of the five authorities of Braintree, Colchester, Chelmsford, Maldon and Tendring. However, the OAHN Update decides to exclude Maldon from the HMA definition on the basis that Maldon Council considers it is a separate HMA, with Maldon Council submitting evidence to its own Local Plan examination in this respect.<sup>9</sup>

3.5 The OAHN Update supplements this stance with its own analysis of 2011 Census commuting and migration flows which concludes that excluding Maldon from the HMA only marginally reduces the containment threshold of the HMA.<sup>10</sup>

3.6 We can confirm that self-containment thresholds are still met when Maldon is excluded from the HMA definition. However, including Maldon strengthens the HMA definition and there are clearly functional relationships between Maldon and the other four authorities (Braintree, Chelmsford, Colchester and Tendring). This is demonstrated in Table 3.1 (travel to work flows) and Table 3.2 (migration flows).

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<sup>8</sup> Paragraph: 010 Reference ID: 2a-011-20140306, Planning Practice Guidance, 06 March 2014

<sup>9</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 2.26, page 14

<sup>10</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 2.28, page 14

**Table 3.1: Travel to Work Flow Containment**

		Place of Work								
		Tendring	Braintree	Chelmsford	Colchester	Maldon	Babergh	Greater London	Other	Total
Usual Residence	Tendring	37,994	811	672	8,737	161	632	2,488	3,911	55,406
	Braintree	391	42,807	6,854	3,665	1,363	1,211	7,151	11,130	74,572
	Chelmsford	116	2,634	52,495	949	1,727	66	14,080	14,858	86,925
	Colchester	3,784	3,617	2,525	61,225	1,384	1,266	6,093	6,181	86,075
	Maldon	82	1,339	4,122	1,137	16,761	41	3,025	4,036	30,543
	Babergh	670	1,142	344	2,440	55	24,470	1,558	11,953	42,632
	Greater London	185	746	2,423	696	314	156	3,734,844	282,417	4,021,781
	Other	1,560	4,951	13,665	5,412	1,528	8,250	760,687	-	796,053
	Total	44,782	58,047	83,100	84,261	23,293	36,092	4,529,926	334,486	-

Source: ONS, Census 2011

- 3.7 In line with the containment thresholds applied during the determination of Travel to Work Areas (TTWAs) by ONS, retention of at least 67-75% of the workforce is considered an appropriate benchmark.
- 3.8 Table 3.1 illustrates flows of workers between Tendring and all neighbouring authorities. There are particularly strong flows of workers from Tendring to Colchester and Greater London. And of those who work in Tendring, the majority of workers originate from Colchester.
- 3.9 From Table 3.1 we can calculate that 85% of Tendring's workforce also live in Tendring ( $=37,994/44,782$ ). This is within the recommended self-containment threshold. However, the five authorities of the Strategic HMA combined provide an 88% self-containment rate. Removing Maldon from the HMA reduces the self-containment rate to 85%.

**Table 3.2: Household Move Containment**

		Previous Residence								
		Tendring	Braintree	Chelmsford	Colchester	Maldon	Babergh	Greater London	Other	Total
Current Residence	Tendring	8,339	213	107	887	36	154	1,248	2,052	13,036
	Braintree	190	7,630	983	676	355	201	921	2,758	13,714
	Chelmsford	92	585	8,943	255	474	50	1,606	4,144	16,149
	Colchester	1,110	754	363	13,568	298	304	1,539	4,085	22,021
	Maldon	30	286	520	201	2,297	16	341	982	4,673
	Babergh	163	316	55	457	25	3,863	457	2,716	8,052
	Greater London	555	566	1,070	1,100	215	293	853,477	183,548	1,040,824
	Other	2,215	2,960	4,382	4,639	1,144	3,221	219,260	-	237,821
	Total	12,694	13,310	16,423	21,783	4,844	8,102	1,078,849	200,285	-

Source: ONS, Census 2011

- 3.10 Table 3.2 again illustrates flows between Tendring and all neighbouring authorities but less pronounced than travel to work flows. Nonetheless, flows are again strongest between Tendring and Colchester.
- 3.11 Unlike commuting flows, PPG provides a useful guideline for household move containment of 70%.
- 3.12 From Table 3.2 we can calculate that 66% of Tendring's household moves are within Tendring ( $=8,339/12,694$ ), falling below the self-containment threshold of 70%.
- 3.13 However, the five authorities of the Strategic HMA combined provide a 71% self-containment rate, which falls within the PPG threshold. Removing Maldon from the HMA reduces the self-containment rate to 70%.
- 3.14 The analysis of commuting flows and migration flows confirms strong linkages between the five authorities, which combined also meet the PPG self-containment thresholds. As such, we concur that the Strategic Colchester HMA as defined by CURDS (Braintree, Chelmsford, Colchester, Maldon and Tendring) represents a sound study area for this OAHN and on this basis the OAHN Update November 2016 is incorrect to exclude Maldon from the HMA definition.

## 4.0 DEMOGRAPHIC OAHN PRESENTED IN THE COUNCIL'S EVIDENCE

### i) Introduction

4.1 Paragraphs ID2a-015 to 017 of the PPG provide the methodological guidance for determining the first stage of the OAHN; demographic-led housing need. This section of the report therefore considers the demographic evidence presented in the November 2016 OAHN Update. Consideration is given as to whether the OAHN Update provides a robust approach to the assumptions underpinning the demographic-led OAHN, and whether there are any weaknesses in the approach.

### ii) Starting Point Estimate (Step 1, PPG ID2a-015)

4.2 The original July 2015 OAHN assessment used demographic forecasts produced by Edge Analytics for the 12 instructing local authorities forming the Essex Planning Officers Association (EPOA). However, this work was based on the Government's 2012-based population and household projections, which have since been superseded by the 2014-based series.

4.3 Given the EPOA has not commissioned an update to take account of the latest projections, the November 2016 Update has produced its own projection scenarios which do take account of the 2014-based release.

4.4 The November 2016 Update presents the 2014-based demographic starting point according to the official projections for Braintree, Chelmsford and Colchester. However, the November 2016 Update claims that the official demographic projections are not robust for Tendring because of the issue of Unattributable Population Change (UPC) and therefore provides an alternative demographic projection.

4.5 Table 4.1 summarises the official 2014-based Sub National Population Projection (SNPP) that underpins the official demographic starting point of housing need for all four local authorities, alongside that assumed by the November 2016 Update. The official 2012-based SNPP has also been included for information. The November 2016 Update presents growth over the period 2014-2037 rather than the Plan Period 2013-2037.

**Table 4.1: Population growth: comparison of official SNPP and November 2016 Update (2014-2037, total change)**

	Official 2012-based SNPP	Official 2014-based SNPP	November 2016 Update
Braintree	26,899	24,294	24,294
Chelmsford	25,564	26,986	26,986
Colchester	37,369	39,369	39,369
Tendring	24,907	23,513	24,900*

\* Taken from Table 1 of the Tendring Note appended to the November 2016 Update

4.6 The demographic starting point assumed for Tendring by the November 2016 Update is nearly identical to the population growth projected by the 2012-based SNPP, despite being produced on a different basis. Whilst the November 2016 Update provides a brief overview of the methodology applied, the exact detail is unclear. For example, the methodology states:

**“A new population is prepared that is a weighted average between the low and high projections. This is also converted to households and homes and compared to the planned development schedule of 464 homes (2015-37). A new set of weights are prepared. This process iterates until the conversion to households and homes matches the development schedule. A summary of the results is shown in Table 1.”<sup>11</sup>**

4.7 The methodology is described as an iterative process until the development schedule is reached (480 dwellings, 2013-2037). In effect, the demographic starting point for Tendring is therefore based on a dwelling constrained projection rather than a true unconstrained demographic projection.

4.8 An additional 480 dwellings per annum was the level of need identified by the EPOA/Edge Analytics Phase 7 report based on the 10-year migration trend with an UPC adjustment. This scenario formed the demographic starting position for Tendring assumed in the original July 2015 OAHN Study.

4.9 The November 2016 Update states *‘in the present study we accept this figure of 480 dpa, because the evidence that underpinned it has not changed’<sup>12</sup>* However, we consider this statement to be somewhat contradictory because 480 dwellings per annum was the resulting level of need from the 10-year migration trend with an UPC adjustment. The January 2016 and subsequent November 2016 Update identified a weakness with the UPC adjustment applied

<sup>11</sup> John Hollis, Tendring Note (November 2016), paragraph 2.2, Appendix to PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update

<sup>12</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 3.22, page 19

by EPOA/ Edge Analytics. Before we consider this point in more detail, it is worthwhile to explain the issue of UPC in order to set the context of the comments we make.

*Unattributable Population Change (UPC)*

- 4.10 UPC relates to the level of difference in recorded population by the 2011 Census and that estimated by the annual Mid-Year Population Estimates over the decade 2001-2011.
- 4.11 UPC in Tendring is equivalent to -10,533 people (2001-2011) which means that there was an overestimation of Tendring's population between 2001 and 2011 and following the 2011 Census results Tendring's population was revised downwards. The ONS distribute the effect of UPC across the period 2001-2011.
- 4.12 Therefore, making a UPC adjustment, has the effect of reducing net migration to Tendring (because UPC is negative) which in turn results in a lower population projection compared to if an UPC adjustment was not made.
- 4.13 When calculating the 2012 and 2014-based SNPP the ONS have not made any adjustment for UPC because it could not be demonstrated to measure a bias in the trend data that would continue into the future. The ONS has stated:

**"It was proposed not to make an adjustment for UPC in the 2012-based (or, subsequently, the 2014-based) subnational population projections or in the series of population estimates based on the 2011 Census since the UPC is unlikely to be seen in continuing subnational trends as:**

- **it is unclear what proportion of the UPC is due to sampling error in the 2001 Census, adjustments made to population estimates following the 2001 Census, sampling error in the 2011 Census and/or error in the intercensal components (mainly migration);**
- **if it is caused by either the 2001 Census or 2011 Census, then the components of population change will be unaffected;**
- **if it is caused by international migration, it is likely that the biggest impacts will be seen earlier in the decade between 2001 and 2011 and will have less of an impact in the later years when improvements were introduced to migration estimates."**<sup>13</sup>

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<sup>13</sup> Page 7, Quality and Methodology Information Paper, Sub National Population Projections, 27 May 2016, Office for National Statistics

- 4.14 Following the approach of ONS, Barton Willmore's approach is to exclude UPC from the assessment of alternative migration trends whether UPC is positive or negative. This approach stems from advice received from the ONS when the UPC element was first introduced in 2013, in which ONS advised Barton Willmore that *"As we cannot be certain whether or not the "other unattributable" relates to migration it would seem sensible to exclude it from migration trends."* UPC by the nature of its name is not attributable to any particular component of population change and therefore to include UPC along with migration trends is not considered appropriate.
- 4.15 It is also notable how the Local Plans Expert Group (LPEG) recommend the exclusion of UPC from the calculation of OAHN in their recommended changes to the PPG's OAHN methodology, presented to Central Government in March 2016.
- 4.16 The EPOA/ Edge Analytics Phase 7 work applied a UPC adjustment to international migration estimates for Tendring. However, the January 2016 OAHN Update considered the error in population was associated with both international migration and domestic migration flows within the UK (internal migration) based on the findings of the ONS data tool published in September 2015.
- 4.17 Applying the UPC adjustment to international migration only, results in an older population profile (given international migrants are typically younger). Therefore, applying the UPC adjustment to both international and internal migration results in a younger population profile. This is considered an important issue because the age profile of the demographic projection will have an impact on the level of housing need and economic growth than can be supported.
- 4.18 The November 2016 Update's demographic starting point for Tendring is based on a dwelling constrained forecast (480 dpa). The underlying migrant profiles used within the projection calculation are based on a weighted average between the low and high migration trends. No detail is provided on the weights applied, which is considered a weakness and makes interrogation of the method difficult.
- 4.19 Furthermore, no detail is provided on the level of the UPC adjustment applied to the international and internal migration estimates. As is demonstrated in the extract from the ONS data tool (Figure 4.1) the discrepancy in population estimates for Tendring was due to both internal and international migration. However, the darker shading of the international migration column indicates the discrepancy is more likely to be due to international migration than internal migration.

Figure 4.1: Extract of ONS UPC data tool for Tendring



4.20 However, we know that a UPC adjustment has been applied to both the international and internal migrant profile which leads to a younger migrant profile. This reduces the number of homes required because household formation rates are lower for younger people. This point is confirmed by the November 2016 Updates' starting point of housing need summarised in Table 4.2.

Table 4.2: Household growth: comparison of official DCLG household projections and November 2016 Update (2013-2037, total change)

	Official 2012-based DCLG household projection	Official 2014-based DCLG household projection	November 2016 Update
Braintree	16,031 (668 pa)	14,539 (606 pa)	14,539 (606 pa)
Chelmsford	15,424 (643 pa)	15,739 (656 pa)	15,739 (656 pa)
Colchester	20,010 (834 pa)	19,932 (831 pa)	19,932 (831 pa)
Tendring	15,705 (654 pa)	15,008 (625 pa)	10,700 (445 pa)*

\* Taken from Table 1 of the Tendring Note appended to the November 2016 Update

4.21 It is evident from Table 4.2 that the November 2016 Update's starting point for Tendring is 445 households per annum (2013-2037). However, household growth resulting from the 2012-based SNPP is 654 households per annum, despite both scenarios being based on 'virtually identical' population growth (24,900 people) as was shown in Table 4.1. This demonstrates the effect of the UPC adjustment.

#### Vacancy rates

4.22 The vacancy rates applied in the November 2016 Update to convert household growth into dwelling growth appear to have been drawn from the 2011 Census<sup>14</sup>. Whilst more recent rates are available from the Council Tax Base, the 2011 Census rates are prudent. Table 4.3 summarises the November 2016 Update's starting point estimate (dwellings) for the four authorities.

**Table 4.3: Summary of November 2016 Update's starting point estimate of housing need (2013-2037)**

	Household growth	Vacancy	Dwelling growth
Braintree	14,539 (606 pa)	2.8%	14,952 (623 pa)
Chelmsford	15,739 (656 pa)	2.3%	16,104 (671 pa)
Colchester	19,932 (831 pa)	4.2%	20,784 (866 pa)
Tendring	10,700 (445 pa)*	7.9%	11,520 (480 pa)

\* Taken from Table 1 of the Tendring Note appended to the November 2016 Update

#### UPC Conclusions

4.23 Barton Willmore consider the November 2016 Update's starting point estimate for Braintree, Chelmsford and Colchester to be correct, being based on the DCLG 2014-based household projection with no adjustment for UPC.

4.24 However, the UPC adjustment applied to Tendring's starting point is not considered appropriate for the following reasons and has the effect of the reducing the starting point from 674 to 480 dwellings per annum:

<sup>14</sup> John Hollis, Tendring Note (November 2016), paragraph 2.1, Appendix to PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update

- As mentioned earlier, UPC by its nature is not attributable to any particular component, although the ONS data tool suggests in Tendring this is probably due to discrepancy in international migration estimates and to a lesser extent, internal migration estimates;
- It is clear from the ONS statement accompanying the 2014-based SNPP (see paragraph 4.32 above) that the effect of UPC is likely to have been greater towards the start of the decade. Therefore, as account is taken of more recent migration trends, the issue of UPC becomes less relevant as fewer years within the trend are likely to have been affected by UPC;
- The 2014-based SNPP reflect the 2014-based national projections in assuming net international migration of 185,000 people per annum across England. However, as a consequence of the recently revised international migration estimates, both the 2014-based national and sub national population projections are considered to significantly underestimate net international migration trends. The latest quarterly net international migration estimates suggest that net international migration totalled 248,000 people per annum in the year ending December 2016;
- The administrative population estimates published by ONS on 17 November 2016<sup>15</sup> give a population of 142,721 for Tendring at 2011 (Census day). This is higher than the official 2011 Census count of 138,048. This suggests that the 2011 Census may have undercounted the population of Tendring and the downward revision made to the rolled forward MYPE following release of the 2011 Census may have been too great for Tendring. If these new administrative estimates are correct, then this would mean UPC in Tendring is in fact lower than currently estimated by ONS because less of an adjustment is needed to match the 2011 administrative estimate;
- The 2015 and 2016 Mid-Year Population Estimates (MYPE) published after the 2014-based SNPP have already exceeded the 2014-based SNPP for years 2015 and 2016 for Tendring indicating that the 2014-based SNPP provide a conservative projection of population growth for Tendring.

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<https://www.ons.gov.uk/census/censustransformationprogramme/administrativedatacensusproject/administrativedatacensusresearchoutputs/sizeofthepopulation>

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- 4.25 The approach of excluding UPC from the calculation of alternative migration trends has been supported by Inspectors in various Local Plan Examinations and s78 Planning Appeals.

***Aylesbury Vale Local Plan Examination – June 2014***

- 4.26 The Inspector for the Aylesbury Vale Local Plan Examination in Public did not agree with the Council's approach to including negative UPC within the migration trends. He stated:

**“However, whilst an over estimation of migration may play a significant part in the other (unattributable) component of change in the mid-year estimates, there is insufficient basis to conclude that it accounts for 100% of this figure. Indeed the ONS itself considers that it would be sensible to exclude the unattributable figure from migration trends given the degree of uncertainty. Attributing all of this to migration, as the Council has done, has the effect of substantially reducing the estimates of past net in-migration to the District. The very recent trend suggests an increase in annual net in-migration”<sup>16</sup>.**

- 4.27 The approach of Aylesbury Vale Council whereby negative UPC was included within the migration trends despite the very recent trends suggesting an annual increase in net migration, echoes the approach of Tendring Borough Council.

***West Oxfordshire Local Plan Examination – December 2015***

- 4.28 UPC in West Oxfordshire is equivalent to -568 people between 2001 and 2011. The Council's alternative population projections adjusted for UPC which had the effect of lowering the net migration figures and therefore population projection. Whilst the Inspector acknowledged that: UPC is not a significant issue in West Oxfordshire; the ONS' decision is to not include UPC within the calculation of the SNPP; and the default PAS Technical Note<sup>17</sup> advises that the default option is to ignore UPC, the Inspector concludes that future work should model projections with and without UPC to test its significance.

***Newark and Sherwood – s78 Planning Appeal<sup>18</sup> January 2016***

- 4.29 UPC in Newark and Sherwood is equivalent to -134 people in total over the period 2001-2011. The Council considers that it is necessary to make an adjustment for UPC which has the effect of reducing housing need. The Council's justification for this was to provide an overall figure for the Housing Market Area (HMA) that was sufficiently accurate in relation to the individual

<sup>16</sup> PINS/J0404/429/8, Letter from Kevin Ward (Inspector) to Aylesbury Vale District Council

<sup>17</sup> PAS Objectively Assessed Need and Housing Targets Technical Advice Note, Second Edition, July 2015

<sup>18</sup> Appeal Ref: APP/B3030/W/15/3006252

local authority areas, particularly in respect of Mansfield. Given this was a s78 inquiry rather than a Local Plan Examination, the Inspector was concerned with the evidence before her in respect of Newark and Sherwood only, and not the wider HMA. The Inspector concluded:

**“The evidence before me is not sufficient to demonstrate that a downward adjustment to the identified longer term migration trends to take account of UPC for N&S is necessary. Furthermore, I am not satisfied that it has been adequately demonstrated that the absence of such an adjustment in N&S would necessarily have an unacceptable impact on the robust assessment of FOAN within the HMA as a whole.”<sup>19</sup>**

#### *Sefton Local Plan Examination – February 2016*

4.30 UPC within Sefton was equivalent to -2,106 people between 2001 and 2011. The argument was put forward by the Council that the CLG 2012-based household projection was based on over-estimates of in-migration because of factors such as UPC. However, the Inspector stated:

**“The 2012-based DCLG projections indicate household growth of 576 annually over the Plan period. I do not accept the argument that this figure is based on over-estimates of in-migration because of factors such as unattributable population change”<sup>20</sup>**

4.31 This supports Barton Willmore’s view that the CLG household projections form the starting point estimate of housing.

#### *Arun Local Plan Examination – February 2016*

4.32 UPC within Arun between 2001 and 2011 was equivalent to approximately -4,050 people which is a significant amount, as is the case in Tendring. The Inspector acknowledged that the exclusion or inclusion of UPC therefore makes a significant difference to the demographic element of OAN. The SHMA’s approach to this issue was to include 50% of UPC within the alternative migration trends. The Inspector did not see a case to partly-discount UPC for the following reasons:

**“A number of factors suggest a need for caution in the acceptance of the Hearn approach to migration issues in Arun. Firstly, ONS information postdating the Hearn report is that international migration to UK has been underestimated to a statistically significant extent and ONS population projections in 2014 indicate faster growth of population than the 2012 projections. Secondly, while the effects of these factors on Arun are unknown, it is clear that population growth in the District has already exceeded the 2012-Based SNPP judged by the 2013 and 2014 MYEs, including migration. Thirdly, work**

<sup>19</sup> Paragraph 18, Page 4, Appeal Decision Ref: APP/B3030/W/15/3006252, Land at Southwell Road, Farnsfield, Norringhamshire

<sup>20</sup> Paragraph 9, page 2, Inspectors Initial Findings, Sefton Local Plan Examination, February 2016

**underpinning the London Plan concludes that net population outflows will take place from London into the wider South East of which Arun is part.”<sup>21</sup>**

4.33 All of the planning Inquiry evidence outlined above supports the exclusion of negative UPC from the calculation of alternative migration trends, as Barton Willmore are proposing for Tendring.

**iii) Alternative Population Projections (Step 2, PPG ID2a-016/017)**

4.34 In line with the PPG HEDNA requirement (ID2a-015), the November 2016 OAHN Update tests the official demographic projections in respect of their underlying trends in relation to household formation and alternative migration trends in order to determine whether an adjustment is required to the starting point estimate. We begin by considering alternative migration trends before going on to consider household formation.

4.35 The starting point is underpinned by migration trends from the period 2009-2014. The OAHN Update gives consideration to two alternative population projection scenarios:

- **PBA Trends 2005-2015** which is based on average migration trends from the 10-year period 2005-2015;
- **PBA Trends 2010-2015** which is based on average migration trends from the 5-year period 2005-2015.

4.36 However, given the OAHN Update has made a UPC adjustment to Tendring’s demographic projection, the two alternative migration trends are not considered for Tendring in the OAHN Update.

4.37 We consider this a weakness of the OAHN Update. Our view is that the two alternative migration trends should be considered for Tendring, as has been done for the three districts of Braintree, Chelmsford and Colchester.

4.38 Furthermore, since the publication of the November 2016 OAHN Update the ONS have published the 2016 MYPE which allow more recent 5 and 10-year migration trends to be considered. We recommend sensitivity testing of a 5-year trend based on the period 2011-2016 and a 10-year trend based on the period 2006-2016.

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<sup>21</sup> Paragraph 1.12, Inspectors Conclusions, Arun Local Plan Examination, February 2016

- 4.39 In addition to the two alternative migration trends, the OAHN Update also considers a demographic scenario based on providing housing need to support additional migration growth from London.
- 4.40 The '**GLA demographic scenario**' is based on the Greater London Authority's (GLA) Central Scenario which assumes net out-migration from London to the East region of 28,000 increasing to 37,000 over the period 2013-2037. The OAHN Update states that this is similar to the assumptions of the ONS 2012-based SNPP for the East of England.<sup>22</sup>
- 4.41 The GLA doesn't provide a breakdown of net out-migration from London to individual local authorities. However, Edge Analytics estimated this breakdown as part of their EPOA Phase 7 report in proportion to past migration flows. The OAHN Update does not seek to update this scenario from the Phase 7 Edge Analytics report and therefore bases its conclusions on the findings of the Phase 7 Edge Analytics report.
- 4.42 The OAHN Update concludes that the GLA demographic scenario and the ONS 2012-based SNPP are 'extremely close' at the HMA level<sup>23</sup> with the GLA demographic scenario exceeding the 2012-based SNPP scenario by just 74 dpa. On this basis, the OAHN Update acknowledges that the GLA demographic scenario would justify only an insignificant uplift to the HMA's housing need.<sup>24</sup>
- 4.43 We consider the analysis provided by the OAHN Update in respect of the GLA demographic scenario to be outdated, providing a comparison with only the ONS 2012-based SNPP. Furthermore, we consider an additional 74 dpa should not be discounted so easily. Over the period 2013-2037 this is equivalent to an additional 1,776 dwellings in total, which is a significant increase.

#### **iv) Household Formation Assumptions (Step 2, PPG ID2a-015)**

- 4.44 The PPG provides guidance on how the Household Formation Rates (HFRs) underpinning the conversion of population to households should be applied. Paragraph ID2a-015 of the PPG identifies how HFRs published by DCLG are underpinned by past trends alone. They do not take account of government policy such as the NPPF, and may have been suppressed by under-supply and worsening affordability of housing, factors that have led to an increase in concealed households (i.e. young couples living with parents).

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<sup>22</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 4.9, page 36

<sup>23</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 4.11, page 36

<sup>24</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 4.15, page 37

4.45 The earlier July 2015 OAHN study applied unadjusted HFRs from the 2012-based DCLG household projection series. Although the November 2016 OAHN Update refers to this approach being challenged by other parties on the basis of the 2012-based HFRs reflecting a short-term down turn in formation rates<sup>25</sup>, the OAHN Update continues to use 2012-based HFRs unadjusted.

4.46 The OAHN Update justifies this approach through reference to academic research which claims that lower household formation amongst younger people, in particular, as shown in the 2012-based HFRs is associated with lifestyle change. Lifestyle changes are cited as accounting for 20% of the difference between the 2008-based and 2012-based household projections. However, the Neil McDonald and Christine Whitehead research paper which the OAHN Update references, states that the remaining 80% of the difference comes from differences in the household formation rate projections.<sup>26</sup>

4.47 Importantly, the research paper by Neil McDonald and Christine Whitehead goes on to state:

**“The differences for couples aged under 35 are perhaps of greatest concern. For these groups household formation rates have been falling since 1991, implying that more and more couples have been living in someone else’s household. Moreover, the 2012-based projections suggest that the household formation rates of these groups will continue to fall, although at a slower rate than between 2001 and 2011 – a big problem for people at a key life stage.”** (our emphasis)

4.48 Whilst the research paper acknowledges that more groups benefit from increasing HFRs under the 2012-based series than those groups that are expected to see their HFRs fall, it states:

**“So, overall, household formation rates are projected to increase, although older households secure a disproportionate share of the additional housing at the expense of younger households, some of whom will see their chances of setting up a separate household fall throughout the next quarter of a century.”** (our emphasis)

4.49 The OAHN Update states that socio-economic factors are also reducing the ability of younger people to form separate households such as precarious employment, reducing welfare benefits and rising student debt.<sup>27</sup> However, the OAHN Update does not consider positive moves by the Government outlined in the recent Housing White Paper (February 2017) to assist younger people enter the housing market. For example, the Lifetime ISA, Help to Buy Equity Loan, Starter Homes and the Affordable Homes Programme.

<sup>25</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 3.41, page 25

<sup>26</sup> N McDonald and C Whitehead, *New estimates of housing requirements in England, 2012 to 2037*, Town & Country Planning Tomorrow Series Paper 17, November 2015, page 18

<sup>27</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 3.45, page 25

4.50 The Housing White Paper refers to a housing crisis in the UK, making it clear that the country has not been building enough homes, and housing delivery requires a significant boost in line with the policies of the NPPF.

4.51 The Housing White Paper acknowledges that home ownership among younger people has declined sharply in recent years and identifies the difficulties being faced by the younger age groups as follows:

**“Rising prices are particularly tough on younger people trying to get onto the housing ladder, or wanting to move into their first family home. Some young people have no choice but to continue to live with their parents, friends or strangers to make ends meet.”<sup>28</sup>**  
(our emphasis)

4.52 The 25-34 year age group is widely considered as the age group in which the housing crisis has the most pronounced influence. This is acknowledged by the Housing White Paper which comments as follows:

**“As recently as the 1990s, a first-time buyer couple on a low-to-middle income saving five per cent of their wages each month would have enough for an average-sized deposit after just three years. Today it would take them 24 years. It’s no surprise that home ownership among 25-to 34-year-olds has fallen from 59 per cent just over a decade ago to just 37 per cent today.**

**Without help from the “Bank of Mum and Dad”, many young people will struggle to get on the housing ladder.”<sup>29</sup>** (our emphasis)

4.53 Although the White Paper acknowledges the impact on 25-34 year olds, the impact is also felt in the 35-44 year age group. This is borne out in the projected household formation rates of the projection series that have been published post 2011 Census.

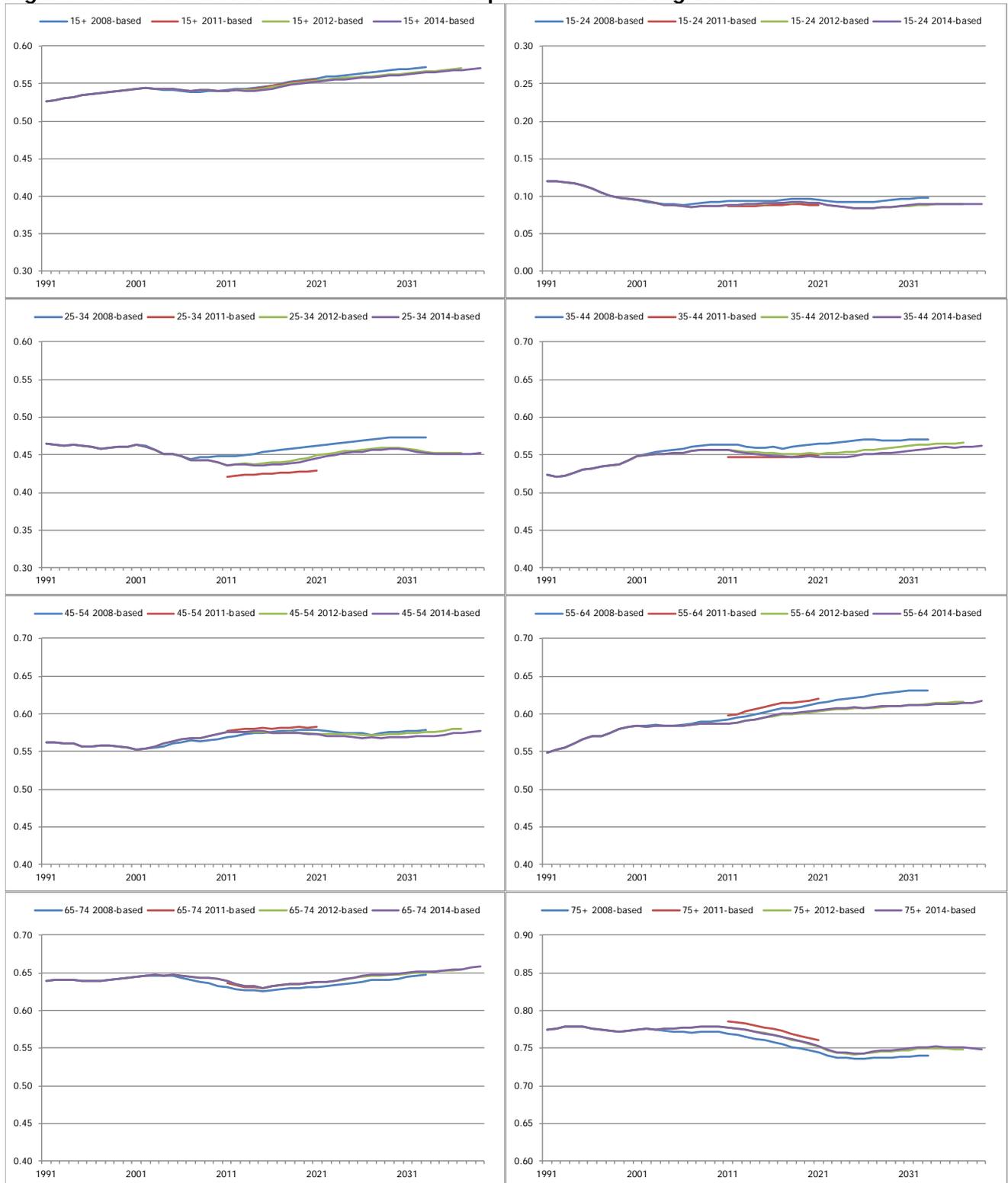
4.54 Three series of HFRs have been published since the 2011 Census, and we compare these rates for Tendring District in Figure 4.1 with the 2008-based DCLG HFRs which were produced prior to the 2011 Census and projected a more positive level of household formation in younger age groups.

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<sup>28</sup> Paragraph 4.3, page 58, Fixing our broken housing market, February 2017

<sup>29</sup> Paragraphs 2-3, page 10, Fixing our broken housing market, February 2017

**Figure 4.1: Household Formation Rate Comparison: Tendring District**



Source: DCLG

4.55 Figure 4.1 illustrates how the both the 2012 and 2014-based HFRs project a slight increase in the HFRs for people aged 25-34 years before projecting a deterioration. This is in contrast to the 2008-based HFRs which projected stable household formation in this age group.

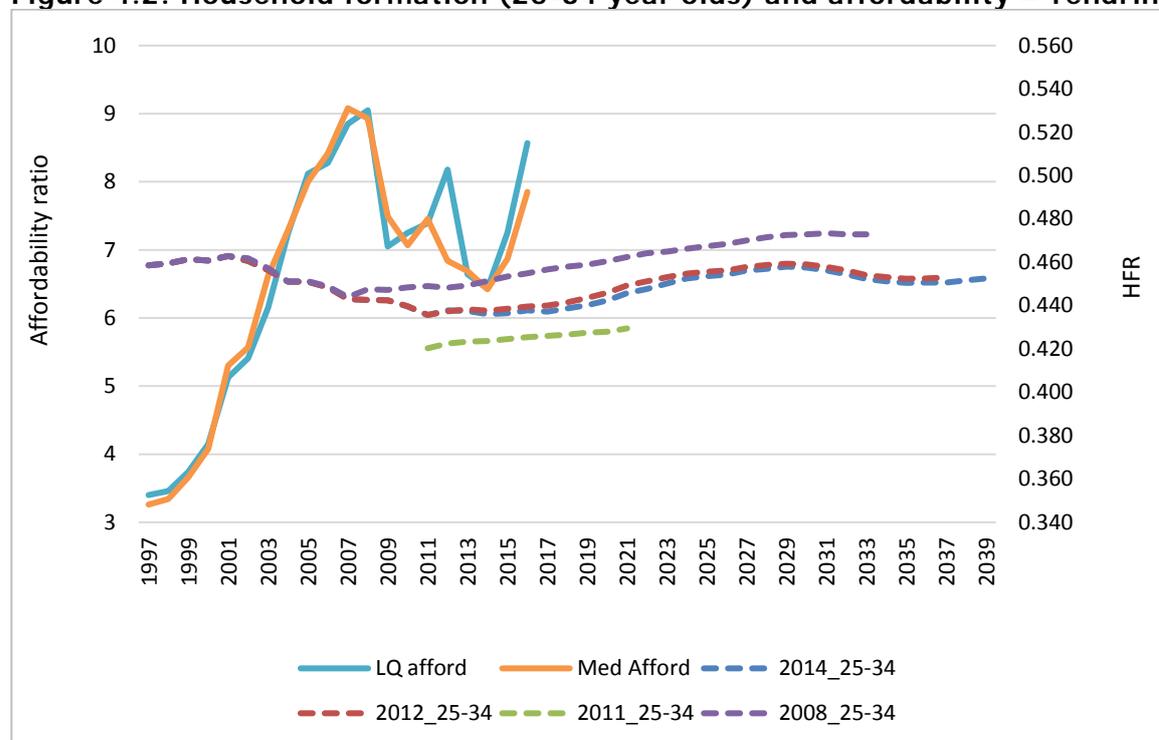
- 4.56 The difference between the HFRs for 35-44 year olds is less marked. Nonetheless, over the projection period, both the 2012 and 2014-based HFRs project the rates to remain relatively stable.
- 4.57 The OAHN Update does give consideration to local HFRs for Braintree, Chelmsford, Colchester and Tendring comparing each district's respective HFRs in 2031 to the national average according to the 2012-based series. The OAHN Update concludes that there is no evidence to suggest that HFRs are suppressed in any of the four local authorities by a local undersupply of housing because projected formation rates for 25-29 and 30-34 year olds are above the national average.<sup>30</sup>
- 4.58 As discussed above, the Housing White Paper acknowledges that household formation for younger people has been suppressed nationally and therefore comparing the local rates to the suppressed national average as the OAHN Update report has done is not considered a sound justification for not making a HFR adjustment.
- 4.59 We have analysed annual housing completions in Tendring District over the period 2001-2016 compared to the district's annual targets and established that there has been a shortfall of 1,499 units over this period (5,251 completions versus target of 6,750). This will have restricted household formation in Tendring District.
- 4.60 To plan on the basis of unadjusted 2012-based HFRs as the OAHN Update has done, is considered inappropriate and will only serve to exacerbate the problems that the Housing White Paper has identified.
- 4.61 In line with PPG it is therefore considered appropriate to apply more positive rates of household formation in the 25-34 and 35-44 age groups, in order to align with the policies of the NPPF and significantly boost housing supply.
- 4.62 Furthermore, we consider that the most recent 2014-based HFRs should have been utilised by the OAHN Update given that there were available. The OAHN Update states that the 2012 and 2014-based HFRs are virtually identical but Figure 4.1 (presented earlier in this report) has identified slight variation in the 2012 and 2014-based HFRs.
- 4.63 Lower household formation for younger people is largely a consequence of the affordability issues set out above, resulting in more concealed households in this age group and an indicator of household suppression. The OAHN Update has failed to acknowledge the underlying relationship between household formation trends and affordability.

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<sup>30</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, paragraph 3.55, page 28

- 4.64 In Tendring District, a sharp worsening in affordability between 2001 and 2011 coincided with household formation rates for the 25-34 age (first time buyer) group decreasing. Furthermore, the increase in Tendring's affordability ratio in 2009 marked the start of the HFRs falling away from their projected path (2008-based). See figure 4.2.

**Figure 4.2: Household formation (25-34 year olds) and affordability – Tendring**



Source: DCLG, ONS and Barton Willmore

- 4.65 Both the 2012 and 2014-based HFRs for 25-34 year olds in Tendring was evidently already suppressed and declining prior to the 2011 Census, which is not surprising in light of the affordability problem prior to that point.

#### v) Conclusions on Demographic OAHN

- 4.66 The Council's November 2016 OAHN Update correctly identifies the starting point estimate of housing need for Braintree, Chelmsford and Colchester – presenting the DCLG 2014-based household projections. However, for Tendring, a starting point estimate of 480 dwellings per annum (2013-2037) is presented in the OAHN Update which is below the official DCLG 2014-based starting point of 674 dwellings per annum (including an allowance for vacancy).
- 4.67 The reduced starting point for Tendring is the result of the OAHN Update applying a UPC adjustment. This adjustment is considered unjustified for the following reasons:

- The ONS claims that the effect of UPC was greater towards the start of the decade (2000s) and therefore the 2014-based SNPP which underpin the starting point (based on trends from the period 2009-2014) will have been less affected by the issue of UPC;
- Administrative population estimates suggest that the 2011 Census may have underestimated Tendring's population and therefore the downward revision applied to Tendring's MYPE (in effect the UPC adjustment) may have been too great;
- The 2014-based SNPP are underpinned by a conservative assumption of net international migration and therefore to reduce migration trends further is considered inappropriate;
- 2015 and 2016 MYPE published after the 2014-based SNPP have already exceeded the 2014-based SNPP projection for the same years, further suggesting that the 2014-based SNPP provides a conservative projection of population growth for Tendring.

4.68 Given the UPC adjustment to the starting point for Tendring, the OAHN Update has not considered alternative migration trend scenarios for Tendring. This is considered a weakness. An alternative 5-year migration trend from the more recent period 2010-2015 and a 10-year migration trend from the period 2005-2015 has been considered by the OAHN Update for Braintree, Chelmsford and Colchester. We consider the same scenarios (without a UPC adjustment) should also be considered for Tendring. Furthermore, now that the 2016 MYPE have been published this allows for more recent 5-year and 10-year migration trends to be considered.

4.69 Despite the OAHN Update identifying that the alternative migration trends collectively for Braintree, Chelmsford and Colchester projected higher population growth than the 2014-based SNPP<sup>31</sup>, the OAHN update concludes that the 2014-based SNPP is the preferred demographic projection on which to assess housing need across the HMA. This has implications in particular for Colchester's demographic OAHN which is considerably higher under the alternative migration trends. We believe greater weight should be given to the alternative migration trend scenarios.

4.70 In addition to the two alternative migration trends, the OAHN Update also gives consideration to a GLA demographic scenario which looks at increased out-migration from London to surrounding authorities. The OAHN Update concludes that the uplift suggested by increased out-migration from London to the four HMA authorities of 74 dpa is insignificant. We disagree.

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<sup>31</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Table 3.4, page 29

Such an uplift is equivalent to an additional 1,776 dwellings over the period 2013-2037 which is significant. Nonetheless, the evidence on which this conclusion is reached is outdated being based on the Edge Analytics Phase 7 report produced for the EPOA which only provided a comparison with the ONS 2012-based SNPP. The evidence should be updated to provide a comparison with the ONS 2014-based SNPP.

- 4.71 The OAHN Update makes no adjustment to address suppressed household formation which we have identified has occurred in Tendring due to under-supply and worsening affordability of housing as required by PPG (ID2a-015). The analysis of HFRs by age group for Tendring that we have presented in this chapter, has identified clear suppression in household formation for younger people which closely correlates with a worsening in housing affordability in Tendring. On this basis, and as required by PPG (ID2a-017), sensitivity testing of alternative HFR assumptions is required in Tendring and the OAHN Update has failed to consider this.
- 4.72 To summarise, the OAHN Update presents a combined demographic OAHN for the four authorities of 2,695 dwellings per annum (2013-2037) with the individual local authority breakdown as follows:
- Braintree = 623 dpa;
  - Chelmsford = 656 dpa;
  - Colchester = 866 dpa; and
  - Tendring = 550 dpa.
- 4.73 However, it should be noted that the figure quoted for Chelmsford in the OAHN Update<sup>32</sup> (also presented above) is incorrect. The correct demographic OAHN for Chelmsford is 671 dpa based on the DCLG 2014-based household projections with an allowance for vacancy. As a result, the correct combined demographic OAHN implied by the OAHN Update is 2,710 dpa. Although the difference is only equivalent to 15 dpa, this equates to an additional 360 dwellings in total over the period 2013-2037 which is significant.
- 4.74 Nonetheless, we consider that the demographic OAHN presented by the OAHN Update is an underestimate of demographic housing need in all four of the local authorities as it fails to take account of the higher growth suggested by alternative migration trends and provides no remedy for suppressed household formation of younger people. Furthermore, the extent of the underestimation is even greater in Tendring due to the UPC adjustment applied by the OAHN Update. Addressing all of these issues would increase the demographic OAHN above that suggested by the OAHN Update.

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<sup>32</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 3.74, page 33

## 5.0 THE APPROACH TO RECONCILING HOUSING NEED AND JOB GROWTH IN THE COUNCIL'S EVIDENCE

### i) Introduction

- 5.1 In relation to future jobs growth, the OAHN Update refers to PPG and the need to consider whether the housing provision in line with the preferred demographic projections would provide enough workers to support future job growth expected in the area. The implication being that if it doesn't, the projections should be adjusted upwards.<sup>33</sup>
- 5.2 The test of whether the OAHN Update's 'demographic OAHN' is capable of supporting projected job growth, depends upon i) the job growth projection used, ii) the assumptions used to reconcile (or link) job growth forecasts and the population projection underpinning the 'demographic OAHN'.

### ii) Job Growth Projection

- 5.3 The OAHN Update makes use of the East of England Forecasting Model (EEFM) July 2016 baseline forecasts for Braintree, Chelmsford and Colchester. Over the period 2013-2037 the EEFM 2016 forecasts the following job growth:
- Braintree = 490 jobs per annum;
  - Chelmsford = 725 jobs per annum;
  - Colchester = 928 jobs per annum.
- 5.4 For Tendring, a bespoke economic forecast from Experian has been considered because of the concern that the EEFM forecasts would be distorted for Tendring because of the issue of UPC (discussed earlier in Chapter 3 of this report). Experian were provided with the population outputs from the 550 dpa demographic scenario from which they predicted labour demand of 490 jobs per annum (as forecast by the Experian January 2016 forecast) would be met in full by the demographic OAHN.
- 5.5 The approach in the OAHN Update to assessing economic OAHN is therefore not consistent across the four HMA authorities. This is considered a weakness.

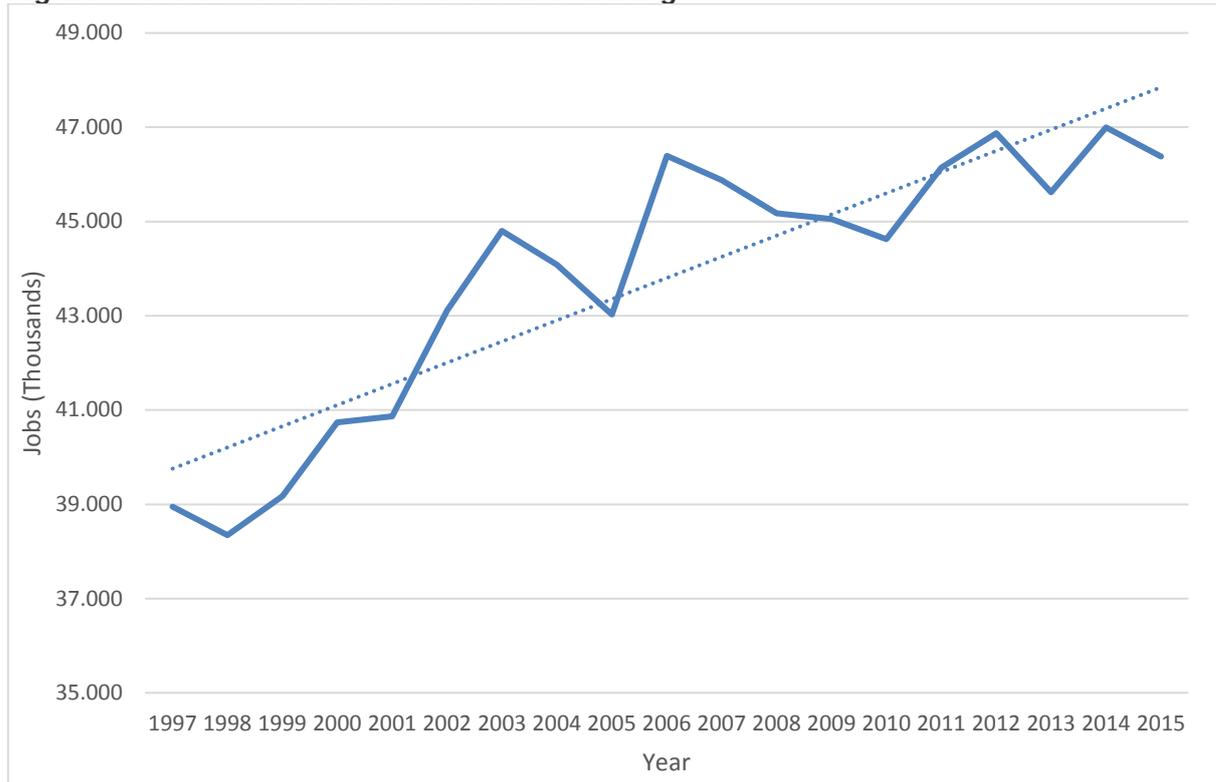
<sup>33</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 6.1, page 67

- 5.6 Furthermore, although the July 2016 EEFM forecast is the latest available, we consider it a weakness of the OAHN Update to assess future job growth across the HMA on the basis of one forecast only. We acknowledge a sense check against Experian's forecasts has been provided by the OAHN Update. However, due to the volatility in economic forecasts between forecasting houses, we would recommend consideration is also given to forecasts produced by other independent forecasting houses and average of projected growth assumed for the purposes of assessing OAHN. This is an approach which has been supported at Local Plan Examinations, most notably in the case of South Worcestershire<sup>34</sup>. The potential weakness of consulting a single forecast was also noted by a section 78 appeal Inspector in Wokingham.<sup>35</sup>
- 5.7 In addition, PPG (ID2a-018) requires plan makers to make an assessment of the likely change in job numbers based on past trends and/or economic forecasts. The OAHN Update gives no consideration to past employment trends across the HMA which we consider a further weakness.
- 5.8 Barton Willmore have obtained job forecast and past trend data from Experian, Oxford, and Cambridge economics and we consider the growth in past trends from 1997-2015 below.
- 5.9 In assessing the number of jobs based on past trends, it is important to ensure that a representative period is used, and there is no bias in the data. The period over which past trends are calculated is very sensitive to small changes in the number of years for which the analysis is undertaken. For example, the number of jobs may increase or decrease more dramatically over a single year rather than a longer period due to the onset or exit from recession.
- 5.10 Barton Willmore's approach is therefore to consider two periods known as 'peak to peak' and 'trough to trough'. This is considered to provide the most realistic and representative periods to assess past trends job growth, considering a business cycle from peak to peak and trough to trough rather than arbitrary periods which may show an overtly optimistic or pessimistic picture.
- 5.11 The average number of jobs recorded year by year between 1997 and 2015 by the three independent forecasting houses is illustrated in Figure 5.1 below to highlight the peaks and troughs of job growth brought about by economic cycles in Tendring.

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<sup>34</sup> Stage 1 of the Examination of the South Worcestershire Development Plan, Inspector's further interim conclusions, March 2014, paragraph 11, page 3.

<sup>35</sup> Paragraph 32, page 6, Appeal Decision APP/X0360/W/15/3097721.

**Figure 5.1: Past Trends Job Growth: Tending**

Source: Experian Economics, Cambridge Econometrics, and Oxford Economics

- 5.12 Figure 5.1 shows how Tendring has experienced fluctuating levels of job growth since 1997, with pronounced peaks and troughs. The analysis of past trends job growth and concluding on appropriate job growth for use in an objective assessment of overall housing need is therefore sensitive to the years selected, as discussed above.
- 5.13 For example, consideration of a period 2006 and 2015 would be inappropriate owing to the pronounced peaks and troughs in both years. Job change over this period would be -12, despite the trend line showing a clear increase over 18 years. Similarly, the 1998-2006 period would show growth of 8,000 jobs over 8 years (1,000 jobs per annum).
- 5.14 It is considered appropriate to determine the peak to peak and trough to trough figures over the longest period possible. In the context of figure 5.1 it would not therefore be considered appropriate to consider the peak periods to be 2003 and 2006.
- 5.15 The most obvious choice to consider trough to trough is considered to be 1998-2015, as there are clear troughs at similar levels below the trend line. The peak to peak period is more problematic due to the aforementioned peaks being most obvious at only three years apart (2003-2006).

5.16 In this instance, it is therefore considered appropriate to determine the trough to trough period only between 1999 and 2015. This shows growth of 7,211 jobs over this period, equating to 451 jobs per annum.

5.17 In the context of our analysis of past employment trends in Tendring, the OAHN Update's assumption of growth of 490 net new jobs in Tendring (2013-2035) seems prudent.

### iii) Translating job growth into housing need

5.18 In order to convert job growth into a workforce requirement, assumptions need to be applied with respect to commuting, unemployment and economic activity. The OAHN Update relies upon such assumptions for Tendring as contained within the Experian forecasting model. The OAHN Update does not provide any interrogation of the Experian assumptions. This is considered a weakness.

5.19 In fact, the OAHN Update contains very little detail on assessing economic OAHN in Tendring – the focus is more on Braintree, Chelmsford and Colchester.

5.20 For Tendring, the OAHN Update refers to Tendring Council publishing the Experian labour market scenario in January 2016. We have attempted to locate this document and have contacted the Council to request the information, however this has been to no avail.

5.21 In the absence of any detail on the assumptions applied by Experian when calculating the bespoke forecast for Tendring it is difficult to provide any detailed comments. However, Experian's economic activity rates have been discussed at length in recent Local Plan Examinations and Section 78 appeals.

5.22 In the Longbank Farm, Ormesby appeal<sup>36</sup>, economic activity rates produced by the Office for Budget Responsibility (OBR) were preferred to the Experian activity rates used by the local planning authority's OAHN consultant. Lengthy discussion is included in the appeal decision, but in summary the Inspector concluded that the OBR rates were more realistic than the Experian rates, the latter of which projected higher economic activity in older age groups stating:

**"I attach greater weight to the OBR projections. They give me cause to seriously doubt the markedly higher activity rates assumed by Experian."**<sup>37</sup> (our emphasis)

<sup>36</sup> Longbank Farm, Ormesby, Middlesbrough section 78 appeal decision, APP/V0728/W/15/3018546, March 2016

<sup>37</sup> Paragraph 21, page 7, Appeal Ref: APP/V0728/W/15/3018546, Longbank Farm, Ormesby, Middlesbrough, TS7 9EF, 09 March 2016

- 5.23 Furthermore, the recent (March 2017) Inspector's note in respect of the Telford & Wrekin Local Plan identified how economic activity rates from sources such as Experian were ambitious in respect of older age groups. Commenting on the use of Experian's economic activity rates by the Council's consultant (also PBA) in Telford & Wrekin the Inspector stated the following:

**"I also share my colleague's caution about the increase in activity rates that is suggested for those ages 65 and over. The rate of increase suggested by PBA in that regard appears striking."**<sup>38</sup> (our emphasis)

- 5.24 The Inspector went on to state the following:

**"It is important that a labour force shortfall does not arise that could restrict the Council's job growth ambitions. For the avoidance of doubt, I consider that a more cautious approach is therefore justified."**<sup>39</sup> (our emphasis)

- 5.25 On the basis of the Inspector's comments above, there is the potential that again, Experian have assumed high economic activity rates for older people which results in a greater workforce being drawn from the demographic projection. In turn, this results in a need for fewer dwellings because the assumption is that job growth can be supported from the resident population without the need to bring in additional migrants.
- 5.26 As mentioned above, the OAHN Update provides no detail on the assumptions applied by Experian for Tendring in respect of commuting or unemployment. However, with reference to the EEFM sense check analysis against Experian provided by the OAHN Update for Braintree, Colchester and Chelmsford, which shows Experian assume a decline in unemployment and an increased outflow of commuters, we can presume that Experian have applied a similar approach to the assumptions for Tendring.
- 5.27 Whilst we support the assumption that unemployment declines over the period 2013-2037, we do not support the approach of adjusting commuting assumptions because adjusting commuting assumptions has implications for other local authorities affected by it. This is a point PBA make themselves in the Technical Advice Note they have produced for the Planning Advisory Service (PAS).<sup>40</sup>
- 5.28 We accept that for Braintree, Chelmsford and Colchester the Experian data presented (Table 6.4 of the OAHN Update) shows an assumption that out-commuting from these authorities

<sup>38</sup> Paragraph 4, page 1, Examination of the Telford & Wrekin Local Plan (2011-2031) Inspector's Note to Telford & Wrekin Council – 30 March 2017, document F10

<sup>39</sup> Paragraph 5, page 1, Examination of the Telford & Wrekin Local Plan (2011-2031) Inspector's Note to Telford & Wrekin Council – 30 March 2017, document F10

<sup>40</sup> PBA, on behalf of the Planning Advisory Service, Objectively Assessed Need and Housing Targets – Technical Advice Note, second edition, July 2015, paragraph 8.16, page 36

increases over the plan period. Whilst in this instance, such an assumption has the effect of increasing housing need, we remain of the view that commuting assumptions should not be changed over the projection period.

#### iv) Bringing the evidence together

- 5.29 The exact level of job growth that the demographic OAHN for Tendring can support is not provided in the OAHN Update. It would be helpful if this was provided.
- 5.30 We note that the OAHN Update states that the more recent September 2016 Experian forecast shows lower job growth than the January 2016 vintage on which the OAHN Update's assessment is based, and therefore the conclusion reached on economic OAHN for Tendring still holds in light of more recent information.<sup>41</sup> However, since then, Experian have published the December 2016, March 2017 and June 2017 forecasts.
- 5.31 There is a risk that if economic activity rates do not turn out to be as high as we believe Experian have assumed, then the demographic OAHN may not in fact be able to support economic growth and therefore economic OAHN for Tendring may in fact be higher than suggested by the OAHN Update. As PBA themselves state in the PAS Technical Advice Note:

**"It is important to avoid unrealistic assumptions on the relationship between housing, population and jobs. A number of housing assessments have been criticised by Inspectors for expecting very fast increases in economic activity rates. Such increases reduce the population growth, and hence number of homes, that is required to support a given number of new jobs. But unrealistic figures put the emerging plan at risk."<sup>42</sup> (our emphasis)**

#### v) Conclusions on Tendring's Economic OAHN

- 5.32 The OAHN Update does not provide a consistent assessment of economic OAHN across the four HMA authorities. A different approach is applied in Tendring to the other three authorities. This is justified by the OAHN Update on the basis of UPC. However, as discussed in Chapter 4 of this report, we consider a UPC adjustment for Tendring to be inappropriate. On this basis, we consider the same approach to assessing economic OAHN should be applied across the HMA.
- 5.33 Our recommendation is that consideration is given to economic forecasts from the three main independent forecasting houses (Experian, Oxford Economics and Cambridge Econometrics)

<sup>41</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 6.31, page 74

<sup>42</sup> PBA, on behalf of the Planning Advisory Service, Objectively Assessed Need and Housing Targets – Technical Advice Note, second edition, July 2015, paragraph 8.15, page 36

and a triangulated average taken. We consider the OAHN Update's reliance on a single forecast to be a weakness given the volatility of economic forecasts.

- 5.34 The OAHN Update provides no detail or interrogation of the assumptions applied by Experian with regards to unemployment, commuting or economic activity for Tendring. Again, this is considered a weakness.
- 5.35 However, Experian's economic activity rates have been found by planning Inspectors to be unrealistically high, especially for older people, a point which we support. The effect of which is to reduce the level of housing required to support economic growth. Placing a reliance on high economic activity rates for older people is risky, as if economic activity turns out not to be as high as assumed by Experian, this will put economic growth in Tendring at risk.
- 5.36 On this basis, the application of a more realistic set of economic activity assumptions has the potential to increase economic OAHN for Tendring. To assist further sensitivity testing of this, it would be helpful if the OAHN Update had presented the exact level of job growth it considered could have been supported by the demographic OAHN. The OAHN Update simply concludes that the demographic OAHN could support job growth of 490 jobs per annum as indicated by Experian January 2016 forecast.

## 6.0 THE APPROACH TO MARKET SIGNALS TAKEN IN THE COUNCIL'S EVIDENCE

### i) Introduction

- 6.1 The PPG lists six market signals to be analysed (ID2a-019/020) as part of the OAHN, and Chapter 5 of the OAHN Update sets out its analysis of these signals as part of the wider OAHN it presents.
- 6.2 The PPG states how market signals analysis should be undertaken on the basis of a comparison with similar demographic/economic areas, and in this context the OAHN Update compares each of the four local authority areas to the county, regional and national averages, along with local authorities that have similar characteristics as identified by the ONS Area Classification. We consider the analysis of the OAHN Update below.

### ii) House Prices

- 6.3 The OAHN Update provides an analysis of average house prices. The analysis identifies that house price change in the HMA authorities has paralleled the regional and national trend, with the exception of Chelmsford where house price growth has exceeded trends.<sup>43</sup>
- 6.4 The PPG HEDNA (ID2a-020) states that comparisons of indicators should be made in both absolute levels and rates of change. It appears (although this could be made clearer) that only indexed change in absolute house prices has been considered in the OAHN Update.
- 6.5 To fill this gap, we have considered the rate of median house price change in Tendring. Between 1997 and 2016 median house prices increased by 273%. This is slightly above the national average increase of 267% but below the HMA and regional averages. See Table 6.1.

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<sup>43</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.17, page 42

**Table 6.1: Median house prices**

	Median house price (£)			
	1997	2016	Absolute Change 1997-2016	% Change 1997-2016
Braintree	59,995	250,000	190,005	317%
Chelmsford	66,000	295,500	229,500	348%
Colchester	57,000	230,000	173,000	304%
Tendring	49,000	183,000	134,000	273%
HMA	57,999	219,375	161,376	278%
East of England	61,995	250,000	188,005	303%
England	59,995	220,000	160,005	267%

Source: ONS/ Barton Willmore

### iii) Affordability Ratios

- 6.6 Perhaps the most critical of the PPG's market signals relate to affordability, and in particular the lower quartile and median affordability ratios. The lower quartile ratio measures lower quartile earnings to lower quartile house prices. The lower the ratio, the more affordable housing is. The median ratio calculates median earnings against median house prices.
- 6.7 The OAHN Update considers the lower quartile affordability ratio over the period 2004 to 2015. The OAHN Update identifies that affordability is consistently worse in the four HMA districts than the national and regional benchmarks but better than most other Essex authorities.<sup>44</sup>
- 6.8 As with the analysis of house prices, the OAHN Update fails to consider the rate of change. Barton Willmore's reference to median affordability ratio data from the ONS (published in March 2017) shows how Tendring's median ratio has increased by 141% between 1997 and 2016. This is higher than the national average (118%) but slightly lower than the regional (143%) and HMA average (146%). However, the HMA average has been influenced by significantly worsening affordability in Chelmsford. See Table 6.2 for more detail. Comparing the individual HMA authorities, it is apparent that Tendring's affordability has declined more acutely than in Braintree, Colchester and nationally.

<sup>44</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.20, page 44

**Table 6.2: Median affordability ratios**

	Median affordability ratio			
	1997	2016	Absolute Change 1997-2016	% Change 1997-2016
Braintree	4.20	8.59	4.39	105%
Chelmsford	3.68	10.92	7.24	197%
Colchester	3.65	8.71	5.06	139%
Tendring	3.26	7.85	4.59	141%
HMA	3.69	9.06	5.37	146%
East of England	3.68	8.96	5.28	143%
England	3.54	7.72	4.18	118%

Source: ONS/ Barton Willmore

**iv) Rents**

- 6.9 The OAHN Update considers absolute change in private sector rents over the period 2011-2016 identifying that rents in Braintree and Colchester are close to the regional average, whilst Chelmsford's are consistently higher and Tendring's consistently lower.
- 6.10 Again, we have considered percentage change (presented in Table 6.3) as this type of analysis is not presented in the OAHN Update. Lower quartile rents in all four authorities have increased at the same rate as the national average, if not higher. Median rents have not increased to the same extent, but nonetheless in Braintree and Chelmsford are higher, Tendring the same, and Colchester lower than the national rate of increase.

**Table 6.3: Private rents**

	Median private rents (£)				Lower Quartile private rents (£)			
	2010-11	2014-15	Change		2010-11	2014-15	Change	
			No	%			No	%
Braintree	625	695	70	11%	525	600	75	14%
Chelmsford	725	775	50	7%	595	675	80	13%
Colchester	625	650	25	4%	513	565	53	10%
Tendring	595	625	30	5%	495	525	30	6%
East	635	680	45	7%	525	586	61	12%
England	570	600	30	5%	450	475	25	6%

Source: Valuation Office Agency (VOA)

## v) Rate of Development

- 6.11 When analysing past housing delivery, the PPG states how a *“meaningful period”* should be used to measure supply. The PPG then goes on to state that *“if the historic rate of development shows that actual supply falls below planned supply, the future supply should be increased to reflect the likelihood of under-delivery of a plan.”*
- 6.12 The OAHN Update considers housing completions against plan targets for the four HMA authorities combined over the period 1996/97 to 2014/15. This is considered a reasonable time period.
- 6.13 The OAHN Update acknowledges that completions fell substantially behind planning targets from 2009/10 onwards<sup>45</sup>. It also acknowledges that completions in the comparator areas have all exceeded those of the four HMA authorities.<sup>46</sup>
- 6.14 Consideration is given in the OAHN Update to housing completions compared to targets individually for each of the four HMA local authorities. With regards to Tendring, the OAHN Update acknowledges that completions have substantially reduced in Tendring since 2009 and attribute this to not having an up-to-date development plan with new land allocations. The OAHN Update goes on to state:

**“But where a council lacks an up-to-date development plan the analysis is much more vulnerable to challenge. It is much harder to demonstrate delivery was low simply because of weak market demand.”<sup>47</sup>**

## vi) Overcrowding and concealed households

- 6.15 The OAHN Update considers the overcrowding indicator from the 2011 Census and identifies that overcrowding in all four districts is below the county, regional and national averages.<sup>48</sup>
- 6.16 Similarly, the number of concealed households is also considered by the OAHN Update using data from the 2011 Census, again identifying lower proportions of concealed households than the county, regional and national averages.<sup>49</sup>

<sup>45</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.10, page 40

<sup>46</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.12, page 41

<sup>47</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.77, page 61

<sup>48</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.28, page 47

<sup>49</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.30, page 48

- 6.17 The OAHN Update fails to consider change in the level of overcrowded or concealed households. Table 6.4 fills this gap by presenting the change in concealed households between 2001 and 2011.

**Table 6.4: Change in concealed households**

	Concealed Families 2001	Concealed Families 2011	% Change	Absolute Change
<b>Braintree</b>	202	491	143%	289
<b>Chelmsford</b>	293	523	78%	230
<b>Colchester</b>	283	498	76%	215
<b>Tendring</b>	352	510	45%	158
<b>HMA</b>	1,130	2,022	79%	892
<b>East</b>	13,354	24,999	87%	11,645
<b>England</b>	161,254	275,954	71%	114,700

Source: ONS

- 6.18 The four authorities combined (HMA) have seen a higher rate of increase in concealed households than the national average (+79% vs +71%) but lower than the regional average (+87%). In Tendring there has only been a 45% increase in concealed households highlighting a less acute problem in Tendring than elsewhere in the HMA, and in comparison to regional and national averages.

#### **vii) The OAHN Update's response to market signals**

- 6.19 In the context of the OAHN Update's analysis it concludes that an uplift to the demographic projections may be justified on the basis of housing completions below target and affordability.<sup>50</sup>
- 6.20 The OAHN Update acknowledges that the PPG provides no specific guidance on how such an adjustment should be made and refers to the fact that the market signals uplifts recommended by Local Plan Inspectors have been a matter of judgement.
- 6.21 By comparing mean house prices, average private rents, and the affordability ratios based on both workplace and residents' earnings in the four HMA authorities, with the national average, the OAHN report concludes on the following market signals uplifts:

- Braintree = 10 to 15%;
- Chelmsford = 20%;

<sup>50</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 5.86, page 64

- Colchester = 0%; and
- Tendring = 15%.

- 6.22 The OAHN Update's suggested uplifts are arbitrary based on PBA's own judgement. In light of this, we believe that the suggested adjustments are open to challenge.
- 6.23 Furthermore, the PPG (ID2a-020) also states how the market signals adjustment should increase supply by *"an amount that could be expected to improve affordability."* The OAHN Update does not consider how the market signals uplifts it proposes will affect affordability.
- 6.24 To fill this gap, we have utilised the market signals approach endorsed by the Inspector for the Mid Sussex Local Plan which is based on the OBR's house price and earnings forecasts and the University of Reading's house price elasticity research.<sup>51</sup>
- 6.25 Our analysis has identified that the OAHN Update's proposed OAHN for Tendring (550 dwellings per annum) would result in Tendring's affordability ratio worsening by 56% from 7.85 in 2016 to 12.25 in 2037. See Appendix 1 for detailed calculation.
- 6.26 On this basis, we do not consider the OAHN Update to provide a sufficient response to market signals issues as intended by the PPG HEDNA, given affordability in Tendring will significantly worsen over the plan period.

#### **viii) Alternative Approaches to Addressing Market Signals**

##### ***Local Plans Expert Group (LPEG) Approach***

- 6.27 The only systematic approach to this issue, and clear guidance to answer the question of how much uplift is required for market signals pressure, is offered by the LPEG recommendations presented to Government in March 2016.
- 6.28 We note that the LPEG recommendations to Central Government are not yet adopted as formal policy or guidance, however the recent Housing White Paper (February 2017) has referred to the LPEG report and has stated that a standardised approach to establishing 'baseline' OAHN will be introduced by April 2018.
- 6.29 Notwithstanding this the LPEG recommendations provide an alternative methodology to assessing OAHN based on alterations to the existing provisions of the PPG's HEDNA. It is therefore considered appropriate to consider their recommendations here, particularly in the

<sup>51</sup> Mid Sussex District Local Plan Examination, Inspector's letter to the Council, 20 February 2017, page 5

context of the LPEG recommendations prescribing specific adjustments for market signals, and the lack of clear guidance in the existing PPG in respect of market signals uplifts.

6.30 In respect of market signals the LPEG report uses a measure of absolute affordability to justify a market signals uplift (additional to the household formation rate adjustment). The median house price affordability banding thresholds arrived at by LPEG are:

- less than 5.3 = 0% uplift;
- 5.3 to less than 7.0 = 10% uplift;
- 7.0 to less than 8.7 = 20% uplift;
- more than 8.7 = 25% uplift.

6.31 For the purposes of calculating the LPEG uplift, the average of the most recent three years of recorded data is used. Based on ONS median affordability ratios the three-year average (2014-2016) is 7.05. This ratio falls within the threshold requiring a 20% uplift to demographic-led OAHN.

6.32 Application of the LPEG market signals adjustment (20%) to the official 2014-based SNPP/DCLG 2014-based household projection (not adjusted for UPC as in the OAHN update) of 674 dpa, 2013-2037 would require OAHN of **809 dpa**. This is considered a minimum OAHN based on the LPEG approach as the LPEG methodology requires the higher of either the 2014-based SNPP or 10-year migration trend to be used, along with permitting an adjustment to address suppressed household formation for 25-44 year olds.

### ***Barker Review (March 2004)***

6.30 The Barker Review used a baseline figure of 140,000 dwellings against which to measure its proposed increase on past supply in order to 'improve the housing market'. It's conclusion of an additional 120,000 dwellings per annum needed implied an increase in housebuilding of 85.7% over past supply levels. Whilst this has not been met at a national level in the period since (and has led to a much further worsening in affordability), it continues to provide a benchmark for how much local authorities might need to improve supply against recent delivery to similarly bring about an improvement in the local housing market (assuming the scale of problem now is, at best, similar to the level it was in 2004).

6.31 Over the past 15 years (2001-2016), Tendring has delivered an average of 350 dpa. A Barker Review style 85.7% increase on this supply position would imply a need for **650 dpa** in order to improve the housing market. This falls below the official PPG starting point (674 dpa) but provides a 20% uplift to the full OAHN established by the OAHN Update (550 dpa).

### *National Housing & Planning Advice Unit (NHPAU)*

- 6.32 The NHPAU was founded by Government as direct response to the recommendations of the Barker Review and in October 2007 published *'Developing a target range for the supply of new homes across England'*<sup>52</sup>. This flowed from analytical modelling on the impact of the Government's housing supply target for housing affordability prospects over the medium and long-term. The report concluded that a supply range from 240,000 dpa (Government's annual target at that point) to 280,000 dpa should be tested (Table 18), going on to identify (para 4.68):

**"NHPAU believes that there is a realistic possibility of stabilising the affordability of market housing over the long-term if a supply target for 270,000 net additions to stock, in the right place and of the right type can be adopted through the planning system for delivery before or by 2016."**

- 6.33 The target of 270,000 per annum would equate to a **24% increase** above the baseline 2014-based DCLG household projection for England (circa 218,000 dwellings per annum, 2014-2039). Applied to the starting point DCLG projection in Tendring this would result in OAHN of **836 dpa, 2013-2037**.
- 6.34 Crucially, the NHPAU concluded that if stabilising affordability in each region is the goal, then the most efficient way to achieve that is to proportionately increase supply in the areas where affordability is most severe. Thus it focussed 80% of its uplifts (over the then RSS targets) across the South East, the South West and the East of England.

### *Redfern Review (November 2016)*

- 6.35 The Redfern Review<sup>53</sup> was an independent review of the causes of falling home ownership, and associated housing market challenges. Published in November 2016, it was informed by a housing market model and built by Oxford Economics which looked at the impacts of different supply assumptions on prices and home ownership. The review ultimately concludes (paragraph 33):

**"...looking forward, if the number of households in the UK were to grow at around 200,000 per year, new supply of 300,000 dwellings per year over a decade would be expected to cut house price inflation by around 5 percentage points (0.5 percentage points a year)... In other words boosting housing supply will have**

<sup>52</sup> Developing a target range for the supply of new homes across England' (October 2007), NHPAU - <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/523984.pdf>

<sup>53</sup> The Redfern Review into the decline of home ownership' (16 November 2016) - [http://www.redfernreview.org/wp-content/uploads/2016/01/TW082\\_RR\\_online\\_PDF.pdf](http://www.redfernreview.org/wp-content/uploads/2016/01/TW082_RR_online_PDF.pdf)

**a material impact on house prices, but only if sustained over a long period."**

- 6.36 The accompanying report by Oxford Economics<sup>54</sup> identifies that *"To put downward pressure on prices new supply would need to outstrip underlying household formation"*. It actually models a boost in housing supply of 100,000 above their baseline forecast of 210,000 dwellings per annum, concluding that 310,000 dwellings per annum *"helps to keep prices in check"* up to 2026, albeit still rising marginally.
- 6.37 Although no corresponding analysis is presented on the affordability ratio (i.e. accounting for changes in income over that period), the adoption of 310,000 dwellings per annum as a figure to keep prices in check would represent a **44.2%** uplift over the demographic baseline suggested by the 2014-based projections (215,000 dwellings). A lower percentage would be sufficient to hold affordability constant if household incomes increased in a corresponding manner.
- 6.38 In Tendring, a 44.2% increase to the 2014-based household projection (674 dpa) would lead to a requirement for **972 dpa, 2013-2037**.

**ix) Conclusions on Market Signals**

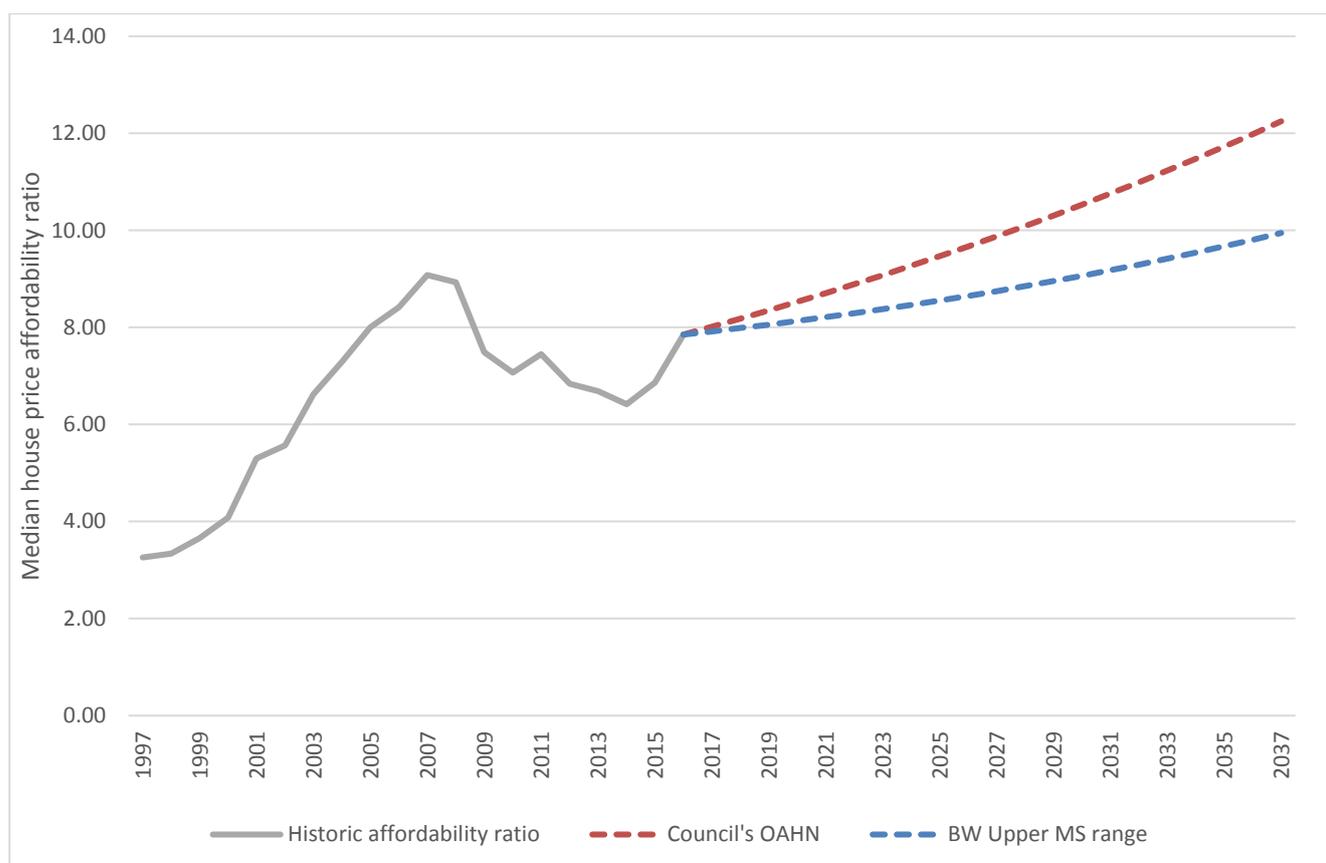
- 6.39 The OAHN Update provides an analysis of the market signals identified by the PPG HEDNA. However, the OAHN Update fails to consider change in both absolute and percentage terms, only considering absolute change. We have filled this gap in our analysis which does strengthen the need for a market signals uplift in Tendring.
- 6.40 Housing completions in Tendring have fallen 22% below planned targets, constraining the supply of housing. Although Tendring is the most affordable of the four local authorities assessed, affordability has worsened to a greater extent in Tendring than compared to Braintree and Colchester.
- 6.41 The OAHN Update acknowledges worsening market signals in Tendring which it proposes to address by applying a 15% uplift to its demographic starting point (480 dpa) resulting in full OAHN of 550 dpa. Applied to the official demographic starting point (674 dpa) the OAHN Update's 15% uplift would result in full OAHN of 775 dpa (2013-2037).
- 6.42 The OAHN Update's suggested 15% uplift is arbitrary based on PBA's judgement. Our analysis of a number of alternative approaches to arriving at a market signals OAHN for Tendring have

<sup>54</sup> 'Forecasting UK house prices and home ownership' (November 2016) Oxford Economics - <http://www.redfernreview.org/wp-content/uploads/2016/11/20161114-Redfern-Review-modelling-paper.pdf>

been tested, including consideration of approaches by the Local Plans Expert Group's (LPEG), Redfern Review, Barker Review and the NHPAU. **These recommendations would require an OAHN range for Tendring of between 650 dpa and 972 dpa (2013-2037).**

- 6.43 Our analysis has identified that the OAHN Update's proposed OAHN for Tendring (550 dpa) would lead to Tendring's housing affordability ratio worsening by 56% between 2016-2037. The upper extent of our identified market signals range (972 dpa) would still result in a worsening of Tendring's affordability ratio but to a lesser extent (+27%). See Chart 6.1.

**Chart 6.1: Impact on Tendring's affordability ratio of proposed OAHN**



Source: Barton Willmore

- 6.44 On this basis, we consider the market signals uplift applied in the OAHN Update to be insufficient, resulting in a significant worsening of housing affordability in Tendring which is contrary to the intent of the PPG HEDNA's market signals uplift. Although the upper extent of our identified market signals OAHN range also results in a worsening of Tendring's affordability ratio, it is to a lesser extent, and serves to illustrate the need for Tendring to plan for more housing than currently proposed if market signals issues are to be addressed.

## 7.0 SUMMARY AND CONCLUSIONS

7.1 Full OAHN presented by the Council's OAHN Update is the higher of either the demographic OAHN with a market signals uplift or the economic OAHN<sup>55</sup>. Table 7.1 provides a summary.

**Table 7.1: OAHN Update's demographic OAHN with a market signals uplift compared to economic OAHN (2013-2037)**

	<b>Demographic OAHN + Market Signals Uplift</b>	<b>Economic OAHN</b>	<b>Full OAHN</b>
Braintree	716 dpa	702 dpa	716 dpa
Chelmsford	805 dpa	706 dpa	805 dpa
Colchester	866 dpa	920 dpa	920 dpa
Tendring	550 dpa	550 dpa	550 dpa

7.2 For Tendring, the Council's OAHN Update concludes that full OAHN is the demographic OAHN with a markets signal uplift; equivalent to 550 dwellings per annum (2013-2037).

7.3 This report has reviewed and evaluated the Council's OAHN Update. On the face of it, the OAHN Update's approach to assessing overall housing need appears to follow the PPG HEDNA methodology, making reference to the relevant PPG sections throughout the assessment. However, in practice, a number of shortcomings have been identified that give rise to an underestimate of housing need in Tendring as we summarise below.

### **i) HMA definition**

#### ***Issue 1: Maldon has been excluded from the HMA definition***

7.4 The OAHN Update has excluded Maldon District from the definition of the Housing Market Area (HMA) on the basis that Maldon Council considers it does not belong to a HMA with Braintree, Chelmsford, Colchester and Tendring. This is despite the OAHN Update demonstrating functional housing and economic relationships between Maldon and the rest of the HMA.

7.5 We consider Maldon should be included in the HMA definition.

<sup>55</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Paragraph 6.36, page 75

**ii) Demographic OAHN*****Issue 2: The OAHN Update reduces the official starting point for assessing housing need by making an adjustment for UPC***

- 7.6 Whilst the OAHN Update correctly identifies the official starting point estimate of housing need for Braintree, Chelmsford and Colchester – presenting the DCLG 2014-based household projections, for Tendring, a starting point estimate of 480 dwellings per annum (2013-2037) is presented in the OAHN Update which is below the official DCLG 2014-based starting point of 674 dwellings per annum (including an allowance for vacancy).
- 7.7 The reduced starting point for Tendring is the result of the OAHN Update applying a UPC adjustment. We consider it inappropriate to apply a UPC adjustment for the following reasons:
- The ONS claims that the effect of UPC was greater towards the start of the decade (2000s) and therefore the 2014-based SNPP which underpin the starting point (based on trends from the period 2009-2014) will have been less affected by the issue of UPC;
  - Administrative population estimates suggest that the 2011 Census may have underestimated Tendring's population and therefore the downward revision applied to Tendring's MYPE (in effect the UPC adjustment) may have been too great;
  - The 2014-based SNPP are underpinned by a conservative assumption of net international migration and therefore to reduce migration trends further is considered inappropriate;
  - 2015 and 2016 MYPE published after the 2014-based SNPP have already exceeded the 2014-based SNPP projection for the same years, further suggesting that the 2014-based SNPP provides a conservative projection of population growth for Tendring.
- 7.8 Support for not making a UPC adjustment has been provided by various Local Plan Inspectors including those examining the Aylesbury Vale Local Plan (June 2014); West Oxfordshire Local Plan (December 2015); Sefton Local Plan (February 2016); Arun Local Plan (February 2016); and Newark and Sherwood s78 Planning Appeal (January 2016). The Local Plan Expert Group's recommendations to Central Government (March 2016) also exclude UPC from the calculation of migration trends.
- 7.9 On this basis, we consider that the correct demographic starting point for Tendring is 674 dwellings per annum (2013-2037) and not 480 dwellings per annum as presented by the OAHN update. This is important because it has implications for the consideration of economic OAHN and the market signals uplift.

***Issue 3: No consideration of alternative migration trend scenarios for Tendring***

7.10 Given the UPC adjustment to the starting point for Tendring, the OAHN Update has not considered alternative migration trend scenarios for Tendring. This is considered a weakness. An alternative 5-year migration trend from the more recent period 2010-2015 and a 10-year migration trend from the period 2005-2015 has been considered by the OAHN Update for Braintree, Chelmsford and Colchester. We consider the same scenarios (without a UPC adjustment) should also be considered for Tendring. Furthermore, now that the 2016 MYPE have been published this allows for more recent 5-year and 10-year migration trends to be considered.

***Issue 4: Dismissal of alternative migration trends for Braintree, Tendring and Colchester despite collectively showing higher population growth than the 2014-based SNPP***

7.11 Despite the OAHN Update identifying that the alternative migration trends collectively for Braintree, Chelmsford and Colchester projected higher population growth than the 2014-based SNPP<sup>56</sup>, the OAHN update concludes that the 2014-based SNPP is the preferred demographic projection on which to assess housing need across. This has implications in particular for Colchester's demographic OAHN which is considerably higher under the alternative migration trends. We believe greater weight should be given to the alternative migration trend scenarios.

***Issue 5: Dismissal of the GLA Demographic Scenario***

7.12 In addition to the two alternative migration trends, the OAHN Update also gives consideration to a GLA demographic scenario which looks at increased out-migration from London to surrounding authorities. The OAHN Update concludes that the uplift suggested by increased out-migration from London to the four HMA authorities of 74 dpa is insignificant. We disagree. Such an uplift is equivalent to an additional 1,776 dwellings over the period 2013-2037 which is significant. Nonetheless, the evidence on which this conclusion is reached is outdated being based on the Edge Analytics Phase 7 report produced for the EPOA which only provided a comparison with the ONS 2012-based SNPP. The evidence should be updated to provide a comparison with the ONS 2014-based SNPP.

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<sup>56</sup> PBA, Braintree, Chelmsford, Colchester, Tendring OAHN Study, November 2016 Update, Table 3.4, page 29

***Issue 6: Provides no adjustment to address suppressed household formation for younger people***

- 7.13 The OAHN Update makes no adjustment to address suppressed household formation which we have identified has occurred in Tendring due to under-supply and worsening affordability of housing as required by PPG (ID2a-015). The analysis of HFRs by age group for Tendring has identified clear suppression in household formation for younger people which closely correlates with a worsening in housing affordability in Tendring. On this basis, and as required by PPG (ID2a-017), sensitivity testing of alternative HFR assumptions is required in Tendring and the OAHN Update has failed to consider this.

**iii) Economic OAHN**

***Issue 7: Lack of a consistent approach to assessing economic OAHN across the HMA***

- 7.14 The OAHN Update does not provide a consistent assessment of economic OAHN across the four HMA authorities. A different approach is applied in Tendring to the other three authorities. This is justified by the OAHN Update on the basis of UPC. However, as discussed above, we consider a UPC adjustment for Tendring to be inappropriate. On this basis, we consider the same approach to assessing economic OAHN should be applied across the HMA.
- 7.15 The ability of Tendring's demographic OAHN to support economic growth is tested against Experian's January 2016 forecast. For Braintree, Chelmsford and Colchester the EEFM 2016 is utilised.
- 7.16 Furthermore, the OAHN Update fails to provide the exact level of job growth it considers could have been supported by the demographic OAHN. The OAHN Update simply concludes that the demographic OAHN could support job growth of 490 jobs per annum as indicated by Experian January 2016 forecast.

***Issue 8: Reliance on a single economic forecast***

- 7.17 Economic forecasts can vary between economic forecasting houses. Therefore, to avoid any volatility, we recommend that consideration is given to economic forecasts from the three main independent forecasting houses (Experian, Oxford Economics and Cambridge Econometrics) and a triangulated average taken.

***Issue 9: No interrogation of the underlying assumptions from Experian and concern that a high reliance is placed on high economic activity of older people***

- 7.18 A weakness of the OAHN Update is that it provides no detail of the assumptions applied by Experian with regards to unemployment, commuting or economic activity. As such it appears to take the assumptions at face value.
- 7.19 However, Experian's economic activity assumptions have been acknowledged by various Planning Inspector's as projecting unrealistically high rates for older people. As such, the Experian economic activity rates have been dismissed in favour of using economic activity rate projections from the Office for Budget Responsibility (OBR). We support the use of the OBR projections and recommend sensitivity testing of the application of OBR rates.
- 7.20 Placing a reliance on high economic activity rates for older people, as the OAHN Update has done, is risky, as if economic activity turns out not to be as high as assumed by Experian, this will put economic growth in Tendring at risk. A point which PBA themselves acknowledge in the PAS Technical Advice Note they have produced.

**iv) Market Signals Uplift**

***Issue 10: Arbitrary market signals uplift applied***

- 7.21 The OAHN Update acknowledges market signals issues within Tendring which it seeks to address by applying a 15% uplift to its demographic OAHN for Tendring (480 dpa) resulting in full OAHN of 550 dpa (2013-2037). Our analysis has identified that regardless of the uplift, OAHN of 550 dpa would lead to Tendring's housing affordability ratio worsening by 56% between 2016 and 2037.
- 7.22 As outlined above, we disagree with the demographic OAHN presented for Tendring by the OAHN Update due to the application of a UPC adjustment. Applying the OAHN Update's 15% market signals uplift to the official demographic starting point (674 dpa) would result in full OAHN of 775 dpa (2013-2037). Nonetheless, this would still result in a worsening of Tendring's affordability ratio by 40%.
- 7.23 The 15% uplift is based on PBA's own judgement. We appreciate that the PPG HEDNA leaves a gap as to what defines an appropriate uplift and in the absence of any guidance we have considered a number of alternative approaches that seek to improve affordability. The approaches we have considered (LPEG, Redfern, Barker and NHPAU) would result in an OAHN for Tendring of between 650 dpa and 972 dpa (2013-2037), all in excess of the full OAHN

suggested by the OAHN Update (550 dpa). The upper limit of our identified market signals range (972 dpa) would result in Tendring's housing affordability ratio worsening by 27%. This analysis serves to illustrate the need for Tendring to plan for more housing than currently proposed if market signals issues are to be addressed.

## v) Summary and Way Forward

7.24 Table 7.2 summarises our critique of the OAHN Update alongside the requirement of the PPG.

**Table 7.2: PPG HEDNA and OAHN Update for Tendring (November 2016)**

PPG ID 2a 015 to 020 (HEDNA)		OAHN Update (November 2016)	
Latest DCLG household projections starting point		Reduces the official starting point for Tendring by making a UPC adjustment	
Adjustments to projections	1. Demography	<b>A. Household formation</b> (ID2a 015, 016) <i>may have been suppressed historically by undersupply and worsening affordability of housing. As a result, the CLG household formation rate projections may also be suppressed. If so they must be adjusted upwards so that the suppression is removed.</i>	<b>Fails to fully investigate and address projected suppressed household formation</b>
		<b>B. Migration and population change</b> (ID2a 016, 017). <i>Sensitivity testing of local migration and population change, taking account of the most recent demographic evidence from ONS.</i>	<b>Fails to consider alternative migration trends for Tendring due to the UPC adjustment applied</b>
		1. Gives rise to the ' <b>demographic OAHN</b> '	<b>Demographic OAHN underestimated because of UPC adjustment and no uplift for suppressed household formation</b>
	2. <b>Future job growth</b> (ID2a 018) <i>based on past trends and or projections should be taken into account. The OAN must be capable of accommodating the supply of working age population that is economically active (labour force supply), if it does not them it should be adjusted upwards.</i>	Future job growth assumption prudent <b>but potentially high reliance on economic activity of older people which in turn underestimates number of homes need</b>	
	3. <b>Market signals</b> (ID2a 019, 020) <i>of undersupply relative to demand that are worsening trigger an upward adjustment to planned housing numbers that are based solely on household projections. The more significant the affordability constraints, the larger the additional supply response should be.</i>	Worsening market signals are observed and addressed, <b>but alternative evidence suggests a higher uplift is justified</b>	
Full objectively assessed housing need (FOAHN) (Overall housing need)		For the reasons identified above (1a, 1b, 2 and 3) the <b>OAHN Update underestimates FOAHN for Tendring</b>	

- 7.25 Based on the findings of our critique, we believe that OAHN of 550 dwellings per annum (2013-2037) provides an underestimate of full OAHN for Tendring. As a very minimum we consider housing need for Tendring is 674 dwellings per annum (2013-2037) as indicated by the DCLG 2014-based household projections with the application of a vacancy rate. However, housing need would increase above this level if the identified suppressed household formation for younger people and worsening market signals are addressed.
- 7.26 Furthermore, the level of economic growth that can be supported by a revised demographic OAHN should also be determined using more realistic economic activity assumptions and tested against more recent economic forecasts.
- 7.27 On this basis, we recommend further sensitivity testing to address the weaknesses identified in the OAHN Update, which would result in an increase to Council's OAHN of 550 dwellings per annum (2013-2037).

**APPENDIX 1:**

**AFFORDABILITY CALCULATOR – TENDRING DISTRICT**

**Affordability Calculator**

Tending

Earnings rate of increase = 1.031 (OBR March 2017)  
 Housing Price rate of increase = 1.048 (OBR March 2017)  
 \*Number of homes taken from 2016 Council Tax Base

Implicit dwelling growth in OBR model  per annum (2031-2016)

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
Median Earnings	23,302	24,024	24,769	25,537	26,329	27,145	27,986	28,854	29,748	30,671	31,621	32,602	33,612	34,654	35,728	36,836	37,978	39,155	40,369	41,621	42,911	44,241
Median House price	183,000	191,784	200,990	210,637	220,748	231,344	242,448	254,086	266,282	279,063	292,458	306,496	321,208	336,626	352,784	369,718	387,464	406,063	425,554	445,980	467,387	489,822
Number of homes* (assuming 1% growth as per OBR)	69,205	69,897	70,596	71,302	72,015	72,735	73,463	74,197	74,939	75,688	76,445	77,210	77,982	78,762	79,549	80,345	81,148	81,960	82,779	83,607	84,443	85,288
Median affordability Ratio	7.85	7.98	8.11	8.25	8.38	8.52	8.66	8.81	8.95	9.10	9.25	9.40	9.56	9.71	9.87	10.04	10.20	10.37	10.54	10.72	10.89	11.07

Total annual dwelling increase =  per annum (Local Plan target)

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
No. of houses	69,205	69,755	70,305	70,855	71,405	71,955	72,505	73,055	73,605	74,155	74,705	75,255	75,805	76,355	76,905	77,455	78,005	78,555	79,105	79,655	80,205	80,755
Increase in supply above baseline assumption		-0.2%	-0.4%	-0.6%	-0.8%	-1.1%	-1.3%	-1.5%	-1.8%	-2.0%	-2.3%	-2.5%	-2.8%	-3.1%	-3.3%	-3.6%	-3.9%	-4.2%	-4.4%	-4.7%	-5.0%	-5.3%
Price change (assuming -2.0)		0.4%	0.8%	1.3%	1.7%	2.1%	2.6%	3.1%	3.6%	4.1%	4.6%	5.1%	5.6%	6.1%	6.6%	7.2%	7.7%	8.3%	8.9%	9.5%	10.0%	10.6%
Median House price including reduction	183,000	192,564	202,647	213,278	224,487	236,306	248,768	261,908	275,763	290,371	305,775	322,016	339,142	357,199	376,238	396,314	417,481	439,800	463,332	488,144	514,304	541,886
Affordability ratio	7.85	8.02	8.18	8.35	8.53	8.71	8.89	9.08	9.27	9.47	9.67	9.88	10.09	10.31	10.53	10.76	10.99	11.23	11.48	11.73	11.99	12.25

Total annual dwelling increase =  per annum (BW MS upper range)

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
No. of houses	69,205	70,177	71,149	72,121	73,093	74,065	75,037	76,009	76,981	77,953	78,925	79,897	80,869	81,841	82,813	83,785	84,757	85,729	86,701	87,673	88,645	89,617
Increase in supply above baseline assumption		0.4%	0.8%	1.1%	1.5%	1.8%	2.1%	2.4%	2.7%	3.0%	3.2%	3.5%	3.7%	3.9%	4.1%	4.3%	4.4%	4.6%	4.7%	4.9%	5.0%	5.1%
Price change (assuming -2.0)		-0.8%	-1.6%	-2.3%	-3.0%	-3.7%	-4.3%	-4.9%	-5.4%	-6.0%	-6.5%	-7.0%	-7.4%	-7.8%	-8.2%	-8.6%	-8.9%	-9.2%	-9.5%	-9.7%	-10.0%	-10.2%
Median House price including reduction	183,000	190,248	197,841	205,798	214,139	222,884	232,055	241,676	251,771	262,365	273,486	285,162	297,424	310,305	323,837	338,057	353,003	368,714	385,233	402,604	420,874	440,094
Affordability ratio	7.85	7.92	7.99	8.06	8.13	8.21	8.29	8.38	8.46	8.55	8.65	8.75	8.85	8.95	9.06	9.18	9.29	9.42	9.54	9.67	9.81	9.95

## **Appendix 3**

# **Bromley Road, Parsons Heath Development Brief**

# DEVELOPMENT BRIEF

## Land at Bromley Road | Parsons Heath

Tendring District Council



# Introduction

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Gladman Developments Ltd is promoting land at Bromley Road, Parsons Heath for development. The 7.33 hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location.

A residential development on the site would incorporate both new market and affordable housing (of a variety of types, from affordable rented properties to discounted sale properties to help key workers and first time house buyers) to help meet the current and future housing needs of both Parsons Heath and the district.

Development of this site would respond to and complement its surroundings to achieve seamless integration. Gladman would welcome the opportunity to discuss the potential delivery of this site with you in more detail so it can be considered fully in the preparation of the emerging Local Plan.

**Should you wish to discuss our proposals further,  
please contact**

**Planner: Kate Fitzgerald**

**[k.fitzgerald@gladman.co.uk](mailto:k.fitzgerald@gladman.co.uk)**

**01260 288866**



# Site & Planning Context

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## Site & Surroundings

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The site is located on the eastern edge of Colchester and is 7.33 hectares in area. It is anticipated that around 4.2 hectares would be residential development, with the remainder comprising green infrastructure.

The land lies to the south of Bromley Road and comprises two fields. It is well enclosed by tree and hedgerow cover along its boundaries with Churn Wood, Bromley Road and Salary Brook, which is located directly to the west of the site. Its north-eastern boundary adjoins the grounds of Hill Farm and Crockleford Grange. The site is opposite existing residential development at Longridge.

## A Vibrant Community

---

Parsons Heath is a vibrant area on the edge of Colchester. It is an active and successful community and provides residents with direct access to community facilities.

Parsons Heath offers a range of amenities within walking and cycling distance of the site. These are located in three main clusters: on Bromley Road, on Harwich Road/Parsons Heath and in Greenstead district centre. These areas offer services and facilities including nursery schools, primary schools, a secondary school, a health centre, pharmacy, leisure centre, library and places of worship.

## Principle of Development

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The site is adjacent to the large town of Colchester and falls within a broad location proposed as a new garden community on the Colchester-Tendring border.

## Going forward

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The proposed garden community on the Tendring-Colchester border is classified as a Strategic Urban Settlement in the emerging Local Plan. The publication draft consultation document explains that it will incorporate around 2,500 dwellings within the plan period (to 2033), as part of an overall total of 7,000-9,000 homes.

# Site Development Potential

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**This site offers a unique opportunity for Tendring District Council to plan and, importantly, deliver, a new and exemplary housing development where people will genuinely want to live and choose to stay, while embracing the distinctive character of the surrounding area. This will be achieved by:**

## Housing Delivery



- The site is capable of coming forward within the next 5 years.
- Gladman has demonstrated that the site is capable of delivering up to 145 dwellings of varying sizes, types and tenures (including affordable housing delivered in accordance with planning policy).

## Landscape Character



- The site is not subject to any national, local or other landscape designations.
- Landscape buffers could be provided to the north and east of the site, adjacent to Churn Wood and Salary Brook, which would be designated as a new waterside park.
- The site is well-contained adjacent to the existing urban context. A landscape appraisal undertaken by special consultants has confirmed that a residential development and associated green infrastructure could be incorporated within the local landscape without resulting in any unacceptable landscape or visual effects.

# Site Development Potential

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## Biodiversity, Green Infrastructure & Local Wildlife



- The development of the site would aim to enhance the environment through the provision of green infrastructure, comprising new publically accessible green space, an equipped area of play and recreational pathways, increasing permeability to surrounding areas of interest and facilities.
- The site is not designated for its biodiversity value.
- The site is adjacent to Churn Wood and Salary Brook, which are local conservation sites. Any potential recreation effects as a result of residential development could be mitigated.
- A detailed ecological assessment has been carried out by specialist ecological consultants. This found that no protected species would be adversely affected by a residential development.
- Through additional planting, landscaping and the creation of habitat, there is the potential to create improved conditions for wildlife.



## Heritage



- There are no designated heritage assets within or immediately adjacent to the site.
- A detailed heritage assessment undertaken by specialist consultants has established that the development of the site would have only a very minor impact on the heritage significance of the non-designated Hill Farmhouse, a residential dwelling located circa 95 metres to the north east of the site.

## Hydrology



- The development proposal falls entirely within the Environment Agency Flood Risk Zone 1 i.e. land assessed as having a less than 1 in 1,000 annual probability of flooding.
- The development of the site would include a comprehensive surface water drainage scheme, which would not cause flooding on the site or elsewhere.

# Site Development Potential

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## Design



- The development of the site would follow a design-led approach, informed by consultation with the district council, key stakeholders and the local community, responding sensitively to the site's setting and respecting the grain of the surrounding landscape, both built and undeveloped.
- A high quality housing development would be a positive addition to Parsons Heath, complementing the character of the surrounding area in terms of character and quality.

## Topography



- The site is located on the south-eastern facing slope of the Ardleigh Valley. The valley ascends north towards Ardleigh Reservoir and south as it wraps around the southern edge of Greenstead before joining the River Colne.
- The landform of the site itself slopes down from a high point of approximately 27-28m AOD along the eastern boundary with Churn Wood towards Salary Brook and a low point of approximately 6-7m AOD. The sloping topography of the site contributes to its distinctiveness.
- The topography of the area constrains views into and across the site, which should reduce any visual impact of a development.

## Accessibility



- Development in this location will provide quality pedestrian, cycle and public transport connections.
- A pedestrian route around the site would also link to Bromley Road and onwards to local facilities.
- Tactile paving would be installed at the existing dropped kerbs and pedestrian refuge crossing of Longridge at its junction with Bromley Road.
- The closest bus stops to the site are on Longridge and Bromley Road; these are within 800m of all parts of the site. Gladman would be willing to provide a CIL-compliant financial contribution towards the upgrade of the bus stops closest to the site, if necessary.

## Socio-economic



The development of up to 145 dwellings on the site has the potential to provide significant economic benefits, including:

- An investment in construction of circa £14 million;
- Around 120 full-time equivalent jobs per annum throughout the construction period;
- An additional 130 full-time equivalent jobs in associated industries;
- New Homes Bonus payment of more than £1 million over 5 years;
- Council Tax payments of more than £2.2 million over 10 years.

# Site Location Plan



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 Ordnance Survey Mastermap - Crown Copyright. All rights reserved. Licence Number: 100019980 (Centremapslive.com)

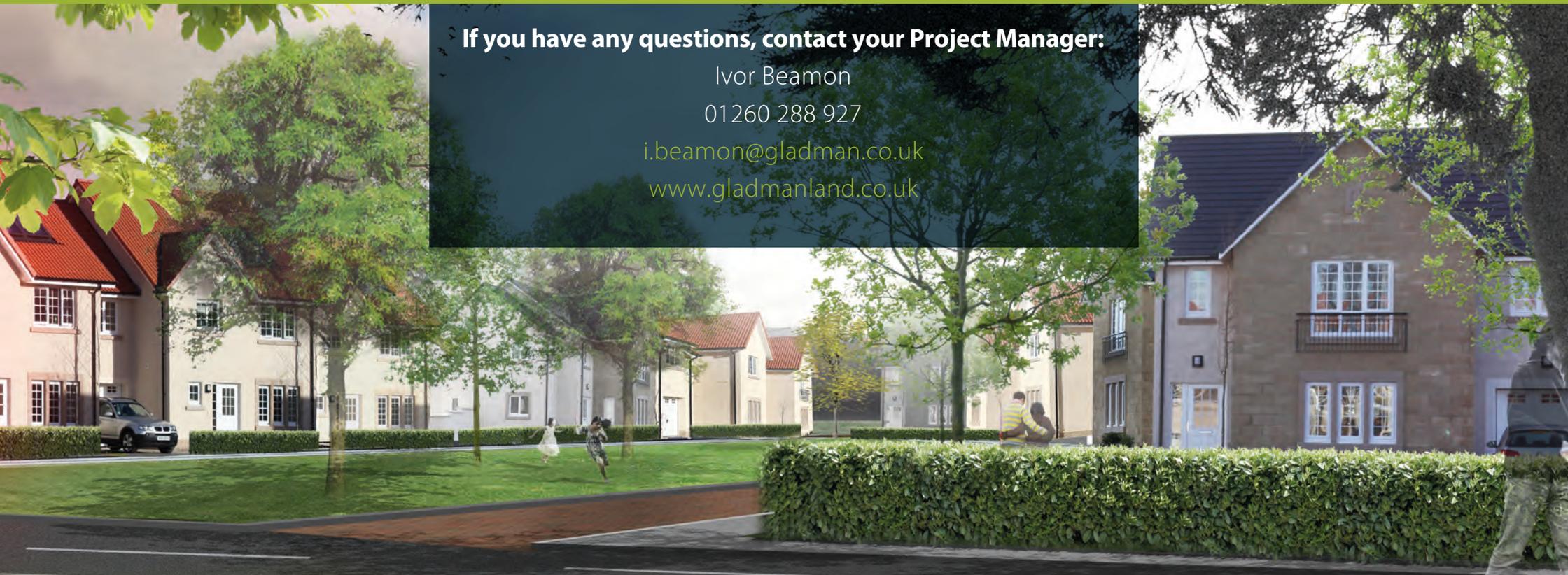
-  Site Boundary (7.33Ha)
-  Residential Area (4.24Ha)  
Up to 145 dwellings at 34dph
-  Total Green Infrastructure (3.09Ha)
-  Proposed vehicular access location
-  Indicative primary street
-  Equipped children's play area
-  Indicative pedestrian route
-  Existing settlement
-  Existing primary roads
-  Listed buildings (Grade II)
-  Public Right of Way
-  Local Cycle Route
-  Existing pond/watercourse
-  Existing trees and hedgerows
-  Ancient Woodland



Gladman Land  
Gladman House, Alexandria Way,  
Congleton, CW12 1LB

**If you have any questions, contact your Project Manager:**

Ivor Beamon  
01260 288 927  
[i.beamon@gladman.co.uk](mailto:i.beamon@gladman.co.uk)  
[www.gladmanland.co.uk](http://www.gladmanland.co.uk)



## **Appendix 4**

# **Grange Road, Lawford Development Brief**

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# DEVELOPMENT BRIEF

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## Land at Grange Road, Lawford

Tendring District Council



# Introduction

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Gladman Developments wish to promote land at Grange Road, Lawford for development. The 6.6 hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location.

A new residential development on this site would incorporate both new market and affordable housing of a variety of types and tenures, to help meet the current and future housing needs of Lawford and the District.

Development of this site would respond and complement its surroundings to achieve seamless integration. Gladman would welcome the opportunity to discuss the potential delivery of this site with you in more detail so it can be considered fully in the preparation of your emerging Local Plan.

**Should you wish to discuss our proposals further,  
please contact**

**Planner: John Mackenzie**

**Email: [j.mackenzie@gladman.co.uk](mailto:j.mackenzie@gladman.co.uk)**

**Telephone: 01260 288941**



# Site & Planning Context

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## Site & Surroundings

---

The site is located to the south-west of Lawford, north of Grange Road and is approximately 6.6 hectares in area. It is currently envisaged that built development would only be situated in the southern part of the site in order to protect and enhance a Scheduled Monument in the northern portion. With this in mind the developable area is likely to be less than 6.6 hectares.

## A Vibrant Community

---

Lawford is a vibrant settlement which adjoins the built-up area of the town of Manningtree. The civil parish of Manningtree (which includes Lawford) is home to a population in the region of 5,700 people according to the 2011 Census.

**Lawford is an active and successful community and provides residents with direct access to community facilities including:**

- Lawford Church of England Primary School
- Highfields County Primary School
- The Lawford GP Surgery

**Lawford is also accessible to facilities in Manningtree, such as:**

- Manningtree High School
- Manningtree Train Station
- A range of retailers including convenience stores
- Pharmacies
- Public Houses
- Post Office

## Principle of Development

---

**The principle of development in Lawford is well established through existing and emerging planning policies.**

Adopted Local Plan policy QL1: Spatial Strategy identifies Lawford as a Town.

## Going forward

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Lawford (alongside Manningtree and Mistley) is identified within the emerging Local Plan as a suitable location to accommodate additional homes with an established town centre, employment areas and infrastructure.

Emerging Local Plan policy SPL1: Managing Growth identifies Lawford as a 'Smaller Urban Settlement' within the second tier of the settlement hierarchy. Between 1,500 and 2,500 new homes are proposed within this tier over the plan period, equating to the second largest proportion of the District's housing stock increase.

Emerging Local Plan policy SP2: Spatial Strategy for North Essex establishes that development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role.

Gladman believe that Lawford is capable of supporting further growth beyond the minimum 1,500 to 2,500 dwellings proposed for this tier in the emerging Local Plan, so housing development need not be limited to this amount.

# Site Development Potential

---

**This site offers a unique opportunity for Tendring District Council to plan, and more importantly deliver, a new development where people will genuinely choose to live, whilst embracing the distinctive character of the surrounding area. This will be achieved by:**

## Housing Delivery



The site is capable of delivering up to 105 dwellings of varying sizes, types and tenures (including affordable housing delivered in accordance with planning policy).

## Land Ownership and Delivery



Gladman consider that housing on this site is capable of being brought forward within the next 5 years. Gladman are promoting this site for development on behalf of the landowner.



## Landscape Character



The site is not designated for its environmental value, and its development can be sensitively designed to be incorporated within the wider landscape without causing significant harm.

## Biodiversity, Green Infrastructure & Local Wildlife



The proposed development will aim to enhance the environment through the provision of green infrastructure, comprising new publically accessible greenspace, equipped play areas and recreational paths increasing permeability to surrounding areas of interest and facilities.

Our initial ecology work, carried out by specialist consultants has found that there are no protected species or potential for bats, newts etc. on-site. Additional ecology surveys will take place prior to the determination of the planning application. Work will also be carried out to assess impact on nearby ecological designations.

Where necessary, the development proposals will provide adequate mitigation and enhancement, wherever possible to ensure species are protected.

## Heritage



The site contains a Scheduled Monument 'Settlement site NNE of Lawford House' the precise nature of which is the topic of some debate, although it can be summarised as a henge-type monument.

The initial work carried out by Gladman's archaeological consultant concludes that development of the site incorporating open space within the northern section and built form in the south, making provision for the evidential value of the Scheduled Monument to be preserved in situ would, at most, result in a negligible adverse impact to the significance of the Monument.

The proposed development will also aim to promote a wider public understanding about the Scheduled Monument on site.

Residential development of the site would also not adversely impact any designated heritage assets in the wider areas as a result of alteration to setting.

## Hydrology



The development proposal falls entirely within the Environment Agency Flood Risk Zone 1 i.e. land assessed as having a less than 1 in 1,000 annual probability of flooding.

A sustainable drainage solution to manage surface water run-off will be provided as part of the proposals.



## Design



The proposed development will follow a design-led approach, informed by consultation with the District Council, key stakeholders and the local community, responding sensitively to the site's setting and respecting the grain of the surrounding landscape, both built and undeveloped. The development will be a positive addition to Lawford, complementing the character of the surrounding area in terms of scale, density, character and quality. Built development would only be situated in the southern part of the site in order to protect and enhance a Scheduled Monument in the northern portion.

## Topography



The site is flat with no technical barriers to overcome in order to secure its development.

## Accessibility



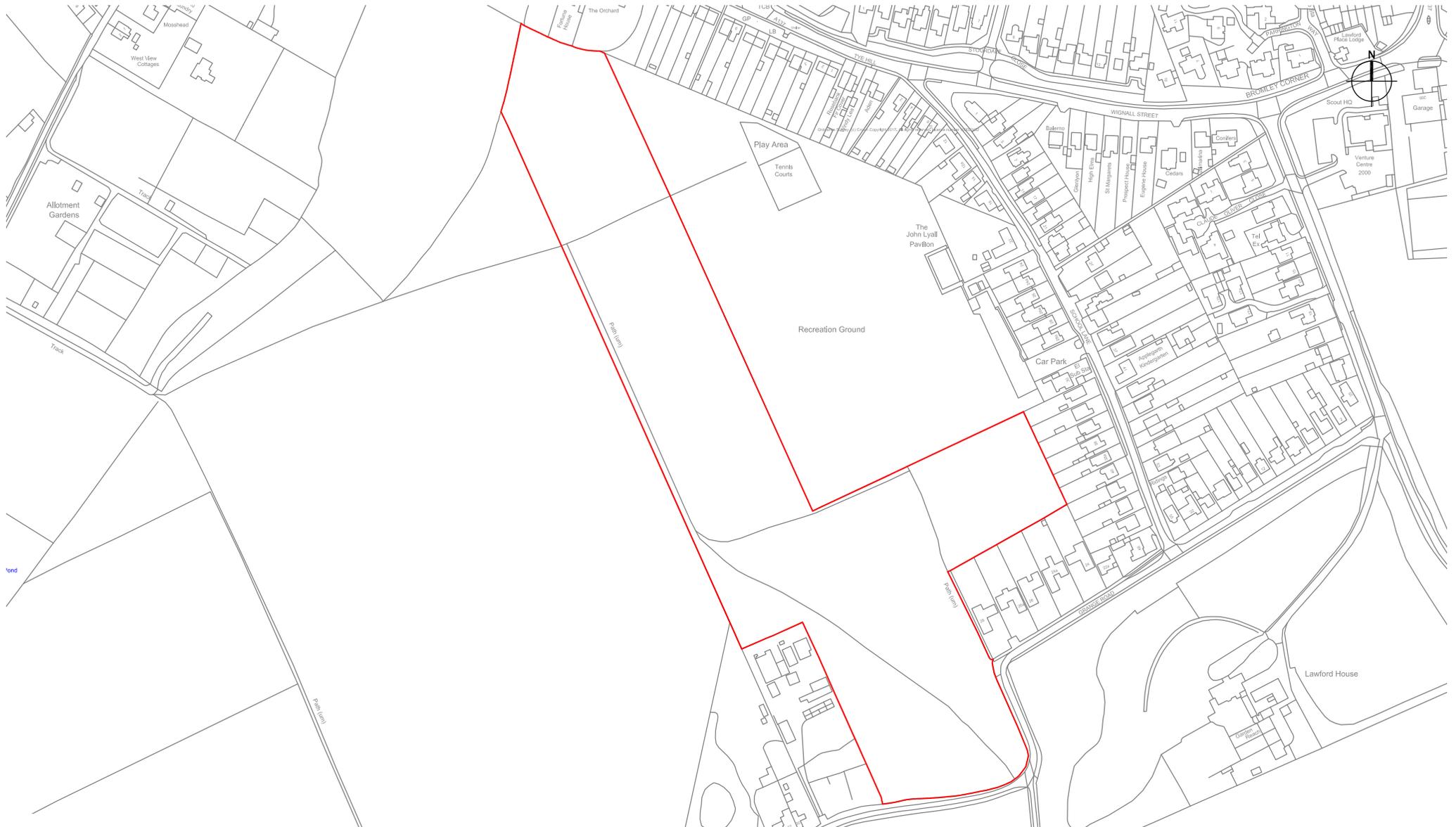
Development in this location will provide quality pedestrian, cycle and public transport connections with the existing built form of Lawford and nearby communities. The site fronts directly onto Highways land. An access solution with suitable visibility splays can be achieved without the need for third party land.

## Socio-economic



Our preliminary research shows that the proposed development could lead to a significant boost in local spending and there is an indication that the gross spending power of the new residents could be in excess of £3 million each year, a proportion of which will be spent in the locality.

# Site Location Plan





Gladman Land  
Gladman House, Alexandria Way,

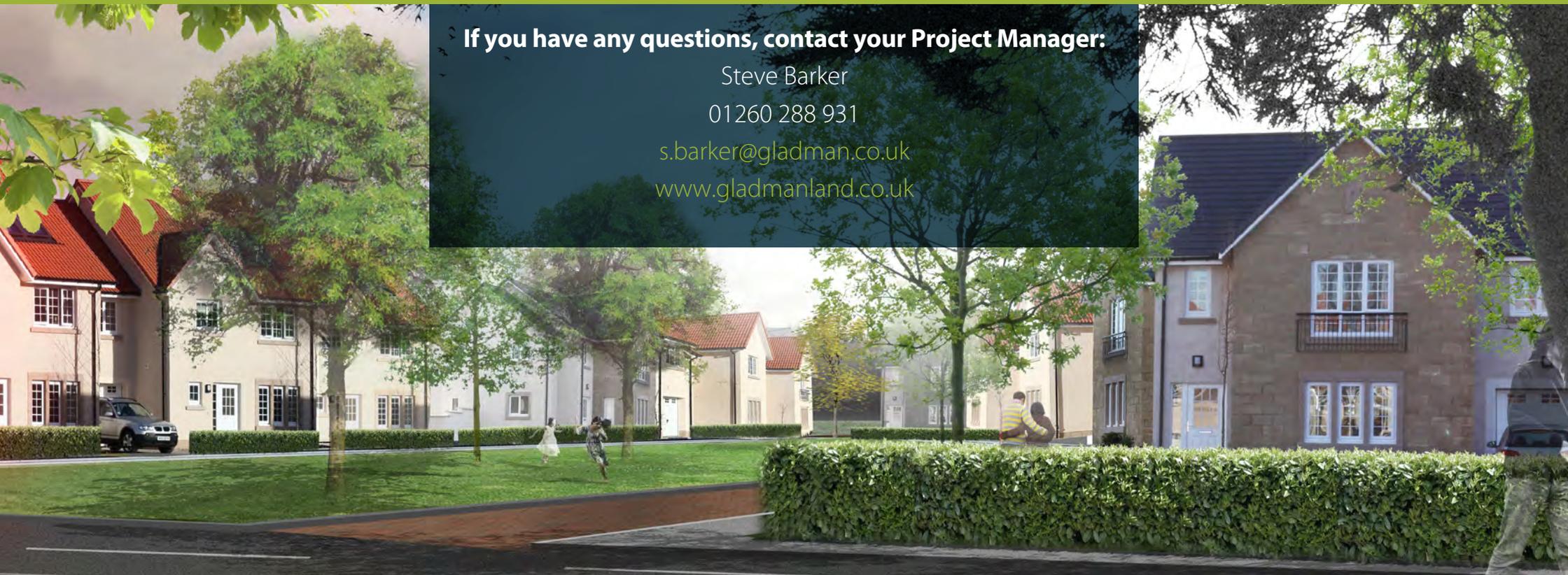
**If you have any questions, contact your Project Manager:**

Steve Barker

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## **Appendix 5**

# **Wick Lane, Ardleigh Development Brief**

# DEVELOPMENT BRIEF

## Land at Wick Lane | Ardleigh

Tendring District Council



# Introduction

---

Gladman Developments Ltd is promoting land at Wick Lane, Ardleigh for residential development. The 7.58 hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location.

A residential development on the site would incorporate both new market and affordable housing (of a variety of types, from affordable rented properties to discounted sale properties to help key workers and first time house buyers), to help meet the current and future housing needs of both Ardleigh and the district responding to and complementing its surroundings to achieve seamless integration.

Gladman would welcome the opportunity to discuss the potential delivery of this site with you in more detail so it can be considered fully in the preparation of the emerging Local Plan.

**Should you wish to discuss our proposals further,  
please contact**

**Planner: Kate Fitzgerald**

**[k.fitzgerald@gladman.co.uk](mailto:k.fitzgerald@gladman.co.uk)**

**01260 288866**



# Site & Planning Context

---

## Site & Surroundings

---

The site is located on the western edge of Ardleigh and is approximately 7.6 hectares in area. It is anticipated that around 4.2 hectares would be residential development, with the remainder comprising green infrastructure.

The land lies to the north of Wick Lane, at its junction with the A137 (Colchester Road). The southern boundary of the site abuts 12 existing properties on Colchester Road. Immediately east of the site lies St Mary's Church of England Primary School and land used by the neighbouring industrial area for the storage and distribution of agricultural machinery. The village centre is also situated to the east, focused along The Street and Colchester Road. Open countryside under arable cultivation lies to the north and west of the site.

## A Vibrant Community

---

Ardleigh is a vibrant settlement and hosts a population in the region of 973 people according to the 2011 Census. The vast majority of the parish's population lives within the village itself. Providing more affordable homes and homes of varying size and tenure will help to address the ageing population structure in Ardleigh.

**Ardleigh is an active and successful community and provides residents with direct access to community facilities including:**

- St Mary's Primary School;
- General Stores and Post Office;
- Newstrend newsagents;
- Ardleigh Surgery; and
- Ardleigh Village Hall.

## Principle of Development

---

Ardleigh is identified in the adopted and emerging versions of the Tendring District Local Plan as a suitable location to accommodate additional homes and this is evidenced a number of under-construction and recently completed housing developments in the village.

Ardleigh is identified as a 'Secondary Defined Village' under policy RA4 of the adopted Local Plan and as a 'Smaller Rural Settlement' under policy SPL1 the emerging Local Plan.

## Going forward

---

Ardleigh is identified within the emerging Local Plan as a settlement which can achieve an increase in housing stock over the plan period, with the Rural Service Centres and Smaller Rural Settlements proposed to accommodate around 1,500 new homes between 2011 and 2031.

Emerging Local Plan policy SP2 establishes that development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role.

# Site Development Potential

---



**This site offers a unique opportunity for Tendring District Council to plan and, importantly, deliver, a new and exemplary housing development where people will genuinely want to live and choose to stay, while embracing the distinctive character of the surrounding area.**

---

## Housing Delivery



- The site is capable of delivering up to 118 dwellings (including affordable housing delivered in accordance with the council's requirements).
- The site is owned by one landowner and is capable of coming forward within the next 5 years.
- Gladman has demonstrated that the site is capable of delivering up to 118 dwellings of varying sizes, types and tenures (including affordable housing delivered in accordance with planning policy).

---

## Landscape Character



- The site is not subject to any national, local or other landscape designations.
- The site is well contained within the landscape and landscape features would be retained where possible.
- A landscape appraisal has confirmed that through sensitive landscaping, green infrastructure provision and good quality design, any impact of a development on the countryside and the character of Arleigh could be minimised.

# Site Development Potential

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## Biodiversity, Green Infrastructure & Local Wildlife



- The development of the site would aim to enhance the environment through the provision of green infrastructure, comprising new publically accessible green space, an equipped area of play and recreational pathways, increasing permeability to surrounding areas of interest and facilities.
- The site is not designated for its biodiversity value and is predominantly in intensive agricultural use.
- Detailed ecological assessment has been carried out by specialist ecological consultants. This found that no protected species would be adversely affected by a residential development.
- Through additional planting, landscaping and the creation of habitat, there is the potential to create improved conditions for wildlife.



## Heritage



- The sites lies outside Ardleigh Conservation Area.
- A detailed heritage appraisal undertaken by specialist consultants has established that the ability to appreciate the significance of both the conservation area and St Mary's Church would not be affected by the development of the site.
- Archaeological desk-based assessment has established that the site has moderate to good potential for as yet to be discovered archaeological assets of local significance from various eras. Essex County Council's archaeologists have confirmed that planning conditions would suffice to secure trial trenching, archaeological fieldwork and post-excavation assessment.

## Hydrology



- The development proposal falls entirely within the Environment Agency Flood Risk Zone 1 i.e. land assessed as having a less than 1 in 1,000 annual probability of flooding.
- Essex County Council, as lead local flood authority, have previously confirmed that a proposed surface water drainage scheme demonstrated that surface water management is achievable in principle, without causing flooding on the site or elsewhere.

# Site Development Potential

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## Design



- The development of the site would follow a design-led approach, informed by consultation with the district council, key stakeholders and the local community, responding sensitively to the site's setting and respecting the grain of the surrounding landscape, both built and undeveloped.
- A high quality housing development would be a positive addition to Ardleigh, complementing the character of the surrounding area in terms of character and quality.

## Topography



The site is flat, with no technical barriers to overcome in order to secure its development.

## Accessibility



- Development in this location would provide quality pedestrian, cycle and public transport connections.
- New pedestrian links through the site could be created, linking the site to the centre of Ardleigh and the surrounding area.
- The site benefits from being within 550m of a bus stop, from which regular buses to nearby settlements, including Harwich, Manningtree and Colchester, can be caught.
- Development of the site offers the opportunity to provide improvements to existing bus services and pedestrian linkages.

## Socio-economic



The development of up to 118 dwellings on the site has the potential to provide significant economic benefits, including:

- An investment in construction of circa £12 million;
- Around 107 full-time equivalent jobs per annum throughout the construction period;
- An additional 117 full-time equivalent jobs in associated industries;
- New Homes Bonus payment of more than £1 million over 6 years;
- Council Tax payments of more than £1.4 million over 10 years.

# Site Location Plan



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## KEY:

-  Site Boundary (7.58ha)
-  Proposed Residential Development (4.21Ha)  
Up to 118 dwellings @ 28dph
-  Potential Vehicular Access
-  Indicative Main Access Route
-  Indicative Location of proposed Pumping Station (0.01Ha)

## Green Infrastructure (3.36Ha) includes:

-  Existing Public Rights of Way
-  Existing Vegetation to be Retained
-  Proposed Tree Planting
-  Proposed Replacement Hedgerow Planting (along Wick Lane)
-  Indicative Attenuation Area (0.25Ha)
-  Proposed LEAP Play Area (0.07Ha)
-  Proposed Footpaths / Cycleways
-  Proposed Public Open Space (2.77Ha)
-  Proposed Allotments (0.27Ha)





Gladman Land  
Gladman House, Alexandria Way,  
Congleton, CW12 1LB

**If you have any questions, contact your**

**Project Manager:** Danielle Bassi

01260 288 935

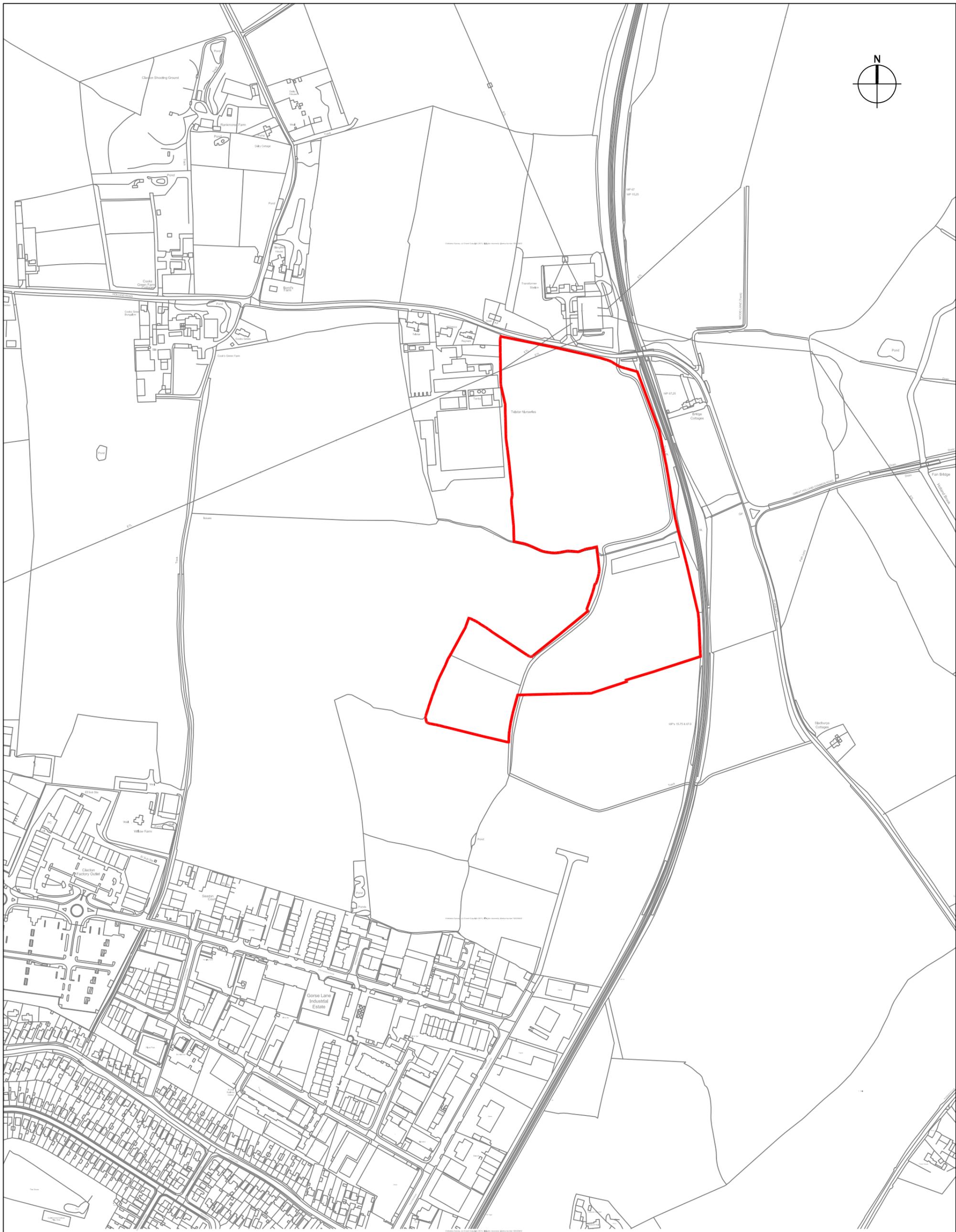
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## **Appendix 6**

# **Land East of Oakwood Park, Holland Road, Clacton Location Plan**




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*	*	*	*
Rev	Date	By	Revision notes
Status			
<b>INFORMATION</b>			

Project  
**HOLLAND ROAD, CLACTON-ON-SEA**

Title  
**LOCATION PLAN (TENDRING REPS)**

Drawn by <b>SB</b>	Issue date <b>27.07.2017</b>
Title checked by <b>CHECKED BY</b>	Title checked date <b>CHECKED_DATE</b>
Highways checked by <b>CHECKED BY</b>	Highways checked date <b>CHECKED_DATE</b>
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Scale(s) <b>1:5000 @ A3</b>	
Drawing No <b>DWG No</b>	

**Tendring District Local Plan  
Publication Draft**



**August 2017**



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## APPENDICES

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Appendix 2	Technical Review of the Council’s Housing Need Evidence Base: Tendring District – Barton Willmore 2017
Appendix 3	Bromley Road, Parsons Heath - Development Brief
Appendix 4	Grange Road, Lawford - Development Brief
Appendix 5	Wick Lane, Ardleigh - Development Brief
Appendix 6	Land East of Oakwood Park, Holland Road, Clacton - Location Plan



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# 1 EXECUTIVE SUMMARY

- i. This representation provides Gladman Developments Ltd written representations on the publication version of the Tendring District Local Plan (TDLP), currently out for public consultation.
  - ii. Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure.
  - iii. These representations concern the following main matters:
    - Duty to Cooperate
    - Sustainability Appraisal
    - Housing Needs
    - Shared Strategic Plan for the North Essex Authorities
    - Vision and Objectives
    - Managing Growth
    - Design
    - Housing
    - Rural Landscapes and Green Gaps
    - Heritage
  - iv. Alongside this individual submission, Gladman have submitted responses to the Braintree and Colchester consultations, with regard to Part 1 of the Local Plan as well as the individual Part 2 plans.
  - v. Gladman commissioned Lichfields to review the Sustainability Appraisal of both the North Essex Part 1 Plan and the Tendring Part 2 Plan (attached as Appendix 1). The review concludes that although the quantity of sites assessed for garden communities is deemed acceptable, the site selection has been artificially suppressed by the 5,000-dwelling threshold that has been applied. There is overwhelming evidence that this has resulted in a narrow focus being applied to the consideration of the new Garden Community options.
  - vi. However, the Sustainability Assessment for Tendring only explores a settlement hierarchy approach to the spatial distribution of housing and there is no evidence to suggest that this is the most sustainable approach to development in Tendring. As a consequence, the Sustainability Appraisal's approach to site allocations in Tendring cannot be considered robust as they are built on an unjustified approach to housing distribution.
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- vii. Gladman commissioned Barton Willmore to undertake a review of the Objectively Assessed Housing Need (OAHN) undertaken by the Council in 2017. The review (attached as Appendix 2) concludes that an unjustified approach has been taken to the issue of Unattributable Population Change in Tendring, the OAHN makes no adjustment for suppressed household formation in Tendring, it does not provide a consistent approach to the economic aspects of housing need and there is evidence to suggest that a greater than 15% uplift should be applied to the OAHN for Tendring to address worsening Market Signals.
  - viii. In Barton Willmore's professional opinion, 550 dwellings per annum represents an under estimate of the level of housing need for Tendring and at the minimum, there is a need for 674 dwellings per annum simply to meet the demographic need identified by DCLG in the household projections. Barton Willmore's overall conclusion is that the true level of housing need in Tendring is between 674 and 972 dwellings per annum.
  - ix. Gladman commissioned Strutt and Parker to undertake an assessment of the delivery of the North Essex Garden Communities. As this report covers all of the Garden Communities and relates specifically to the strategic Part 1 North Essex Plan (the subject of a joint Examination in Public), the detail of its findings has been covered in Gladman's representations submitted as part of the response to the Colchester Borough Local Plan to avoid repetition.
  - x. Gladman support the fact that growth will effectively come from development in and around existing settlements and through the new garden communities allocated in the plan. Gladman's experience is that the best way in which to ensure the delivery of housing targets is to maintain a good spread of sites and site typologies across the districts. It is our view therefore, that the spatial strategy needs to recognise new garden villages as well as the larger garden settlements. These in addition to the smaller allocations will help the plan soundly meets its housing targets.
  - xi. Gladman supports the concept of new garden communities which represent a potentially sustainable means of providing new homes, jobs and associated community infrastructure in the longer term. It is, however, concerned that the scale, complexity and development requirements of the garden communities proposed is such that their anticipated deliverability is questionable and consequently considers that the Plan contains unrealistic expectations for the delivery of new housing on such developments.
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- xii. Having regard to the need for the preparation of the Strategic Growth Development Plan Documents, a significant amount of land assembly to be undertaken, the need for a considerable amount of infrastructure to be provided and the expectation that the Garden Communities will each involve two authorities, Gladman considers that it is extremely unlikely that the delivery of new housing on these sites will be achieved within the timescales anticipated by the Councils.
  - xiii. Gladman support the inclusion of a detailed Settlement Hierarchy in Policy SPL1 of the Plan and the definition of Clacton, Harwich and Dovercourt as Strategic Urban Settlements. Gladman also support the identification of Lawford as a Smaller Urban Settlement where modest levels of housing growth will be directed.
  - xiv. However, Gladman object to the categorisation of Ardleigh as a Smaller Rural Settlement. Ardleigh is considered to be a sustainable settlement with good access to services and facilities to meet the daily needs of its residents. It is located in close proximity to Colchester with high quality bus service from early morning until the evening allowing easy access to the town for employment, education and leisure purposes. It is therefore considered that Ardleigh should be categorised as a Rural Service Centre.
  - xv. Gladman have some concerns with regards to the Housing Land Supply Policy LP1. The table set out within Section 5.1 of the Plan (Table A) also includes completions data from the start of the Plan period until 2016/17. This shows an existing shortfall in housing supply against the housing requirement totalling 826 units or one and a half years' worth of supply. This is a significant under-supply of dwellings and represents real people in need of housing now. It is therefore essential that the Council allocates a range of housing sites in a variety of locations and of a variety of sizes to ensure that the housing needs of local people are delivered in the short term, before the large scale strategic sites come on stream and to meet the significant backlog within the first five years of the Plan.
  - xvi. Gladman are promoting a number of sites in sustainable locations which are available, achievable and deliverable and should be included within the Tendring Local Plan as residential allocations. These include:
    - a. Bromley Road, Parsons Heath (Appendix 3).
    - b. Grange Road, Lawford (Appendix 4).
    - c. Wick Lane, Ardleigh (Appendix 5).
    - d. Land East of Oakwood Park, Clacton (Appendix 6).
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## 2 INTRODUCTION

### 2.1 Introduction

2.1.1 This representation is made by Gladman Developments Ltd (GDL) in response to the current consultation on the publication version of the Tendring District Local Plan (TDLP). GDL specialise in the promotion of strategic land for residential development with associated community infrastructure and has land interests across Tendring.

2.1.2 GDL has considerable experience in the development industry in a number of sectors including residential and employment development. From that experience, it understands the need for the planning system to provide local communities with the homes and jobs that they need to ensure that they have access to a decent home and employment opportunities.

2.1.3 GDL also has a wealth of experience in contributing to the Development Plan preparation process, having made representations on numerous local planning documents through the UK and having participated in many local plan public examinations. It is on the basis of that experience that the comments are made in this representation.

### 2.2 Context

2.2.1 The National Planning Policy Framework sets out four tests that must be met for Local Plans to be considered sound. In this regard, we submit that in order to prepare a sound plan it is fundamental that it is:

- **Positively Prepared** – The Plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base.
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

### 2.3 Previous Submissions

2.3.1 GDL have made submission in response to the following consultations in relation to the TDLP.

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- Issues and Options (September 2015)
- Preferred Option (August 2016)

## 2.4 Overview of Soundness

2.4.1 Due to the significant issues raised through this submission, and summarised in Table 1 below, GDL consider it necessary that we are given the opportunity to discuss our representations further at the Examination in Public.

Table 1 – Summary of policy soundness

Policy	Sound/Unsound	Test of Soundness	Reason	Evidence
SP1	Sound	Consistent with National Policy	Reflects the presumption in favour of sustainable development.	NPPF
SP2	Unsound	Effective	Support for focus on existing settlements but consider that the Spatial Strategy should consider smaller Garden Villages as a potential source of housing supply in the short-term.	NPPF
SP3	Unsound	Positively Prepared	The Plan does not meet the full objectively assessed housing needs for Tendring.	Barton Willmore Technical Review of Housing Needs.
SP5	Unsound	Effective	See response to Colchester Borough Local Plan Part 1.	
SP7	Unsound	Effective	There are concerns over the speed of delivery of the Garden Communities and as such there is a lack of housing supply in the early part of the Plan period and a shortfall of supply	

			across the entire Plan which needs to be addressed with further allocations.	
SP8	Unsound	Effective	Gladman consider that the Garden Community on the boundary of Colchester and Tendring will not deliver units as quickly as the Council expect and therefore further smaller scale housing sites will be required to be allocated to deliver in the short term.	Strutt and Parker
SPL1	Unsound	Positively Prepared	Gladman support the identification of Clacton as a Strategic Urban Settlement and Lawford as a Smaller Urban Settlement. However, Gladman consider that Ardleigh is mis-categorised and based on its services and facilities and proximity to Colchester, it should be a Rural Service Centre.	NPPF
SPL2	Unsound	Positively Prepared Consistent with National Policy	The use of Settlement Development Boundaries to arbitrarily restrict sustainable sites from coming forward does not accord with the positive approach to growth required by the Framework.	NPPF
SPL3	Unsound	Positively Prepared Consistent with	Policy SPL3 should be reworded to allow the decision	NFFF

		National Policy	maker to undertake a planning balance exercise as required by the NPPF rather than a proposal having to meet every criteria.	
HP4	Comment	Consistent with National Policy	Local Greenspace designations should conform with Paragraph 77 of the Framework.	NPPF
LP1	Unsound	Positively Prepared Effective Consistent with National Policy	The Council have a recognised housing shortfall which is significant and should be rectified within the first five years of the Plan period. A larger flexibility factor should also be built into the plan to ensure the housing requirement is met.	NPPF
LP2	Sound		The focus on retirement and extra care accommodation is supported.	NPPF
LP3	Unsound	Positively Prepared Effective Consistent with National Policy	The Council needs to provide sufficient evidence to justify the requirement for internal space requirements.	NPPF WMS
LP5	Unsound	Effective	There is an inconsistency in the Plan over the requirement for affordable housing.	TDLP
LP10	Sound	Effective	Support the Council's approach to Care and Independent Assisted Living.	
PP12	Comment		LPAs should work positively with developers to address Educational provision.	NPPF

PPL3	Unsound	Positively Prepared Consistent with National Policy	Policy PPL3 is inconsistent with the Framework's approach to designated landscapes.	NPPF
PPL6	Unsound	Positively Prepared Consistent with National Policy	Policy PPL6 is inconsistent with the Framework and the need to balance all factors in making development management decisions.	NPPF
PPL8	Unsound	Consistent with National Policy	Policy PPL8 is not consistent with the Framework in its treatment of Heritage Assets.	NPPF
PPL9	Unsound	Consistent with National Policy	Policy PPL8 is not consistent with the Framework in its treatment of Heritage Assets.	NPPF
CP2	Unsound	Consistent with National Policy	Policy CP2 is not consistent with the Framework in its treatment of traffic impact	NPPF
DI1	Unsound	Justified	There is no definition of the term minimum developer profit level which makes the Policy unclear.	NPPF

## **3 NATIONAL PLANNING POLICY**

### **3.1 National Planning Policy Framework and Planning Practice**

#### **Guidance**

3.1.1 The NPPF has been with us now for over five years and the development industry has experience with its application and the fundamental changes it has brought about in relation to the way the planning system functions. The NPPF sets out the Government's goal to 'significantly boost the supply of housing' and how this should be reflected through the preparation of Local Plans. In this regard, it sets out specific guidance that local planning authorities must take into account when identifying and meeting their objectively assessed housing needs:

**"To boost significantly the supply of housing, local planning authorities should:**

- **Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.**
- **Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements..."**
- **Identify a supply of specific, developable sites or broad locations for growth, for years 6-10, and where possible for years 11-15" (Paragraph 47)".**

3.1.2 The starting point of identifying objectively assessed housing needs is set out in paragraph 159 of the NPPF, which requires local planning authorities to prepare a Strategic Housing Market Assessment (SHMA), working with neighbouring authorities where housing market areas cross administrative boundaries. It is clear from the NPPF that the objective assessment of housing needs should take full account of up-to-date and relevant evidence about the economic and social characteristics and prospects of the area, with local planning authorities ensuring that their assessment of and strategies for housing and employment are integrated and take full account of relevant market and economic signals (paragraph 158).

3.1.3 Once a local authority has identified its objectively assessed needs for housing these needs should be met in full, unless any adverse impacts would significantly and demonstrably

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outweigh the benefits of doing so (paragraph 14). Local planning authorities should seek to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Adverse impacts on any of these dimensions should be avoided. Where adverse impacts are unavoidable, mitigation or compensatory measures may be appropriate (paragraph 152).

3.1.4 As the Council will be aware the Government published its final suite of Planning Practice Guidance (PPG) on the 6th March 2014, clarifying how specific elements of the NPPF should be interpreted when preparing their Local Plans. The PPG on the Housing and Economic Development Needs in particular provides a clear indication of how the Government expects the NPPF to be taken into account when Councils are identifying their objectively assessed housing needs. Key points from this document include:

- a. Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.
- b. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic underperformance, infrastructure or environmental constraints.
- c. Household projection based estimates of housing need may need adjusting to reflect factors affecting local demography and household formation rates which are not captured by past trends, for example historic suppression by under supply and worsening affordability of housing. The assessment will need to reflect the consequences of past under delivery and the extent to which household formation rates have been constrained by supply.
- d. Plan makers need to consider increasing their housing numbers where the supply of working age population is less than projected job growth, to prevent unsustainable commuting patterns and reduced local business resilience.
- e. Housing needs indicated by household projections should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings.

3.1.5 The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed, and the larger the additional supply response should be.

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- 3.1.6 The total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help to deliver the required number of affordable homes.

## **3.2 Housing White Paper – Fixing our broken housing market**

- 3.2.1 The Government published the Housing White Paper in February 2017 for consultation. Whilst it is a White Paper, it nevertheless represents a very clear direction of travel and clear indication of the Government's intent. The Council will need to consider the emerging Plan against the points raised within the White Paper, and monitor the progress of the consultation as the proposals within it materialise as potential reforms to the planning system. Given that the intention of the document is to have some of its proposed changes come into force by November 2017, it is highly likely that a number of its measures will be relevant considerations prior to the adoption of the plan.

- 3.2.2 The title of the White Paper makes apparent that the Government considers the housing market to be broken, it is also clear from the document forward by the Prime Minister that the cost of housing is a key part of why the housing market is considered broken. In the foreword, the Prime Minister states:

**“Today the average house costs almost eight times average earnings – an all-time record.”**

**“In total, more than 2.2 million working households with below-average incomes spend a third or more of their disposable income on housing.”**

**“We need to build many more houses, of the type people want to live in, in the places they want to live. To do so requires a comprehensive approach that tackles failure at every point in the system.”**

- 3.2.3 The second foreword from the Secretary of State adds further to the Government's thinking, particularly on the need to build new homes now, it states:

**“This country doesn't have enough homes. That's not a personal opinion or a political calculation. It's a simple statement of fact”**

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**“Soaring prices and rising rents caused by a shortage of the right homes in the right places has slammed the door of the housing market in the face of a whole generation.”**

**“That has to change. We need radical, lasting reform that will get more homes built right now and for many years to come.”**

- 3.2.4 The White Paper outlines further potential reforms to the plan making process, OAN methodology, and Green Belt consideration and housing delivery tests, amongst others. Gladman will refer to key aspects from the White Paper in relevant sections of this representation.
- 3.2.5 The reason for this housing crisis is that the country is simply not building enough homes and has not done so for far too long. The consensus is that we need from 225,000 to 275,000 or more homes per year to keep up with population growth and to start to tackle years of under-supply.
- 3.2.6 Everyone involved in politics and the housing industry therefore has a moral duty to tackle this issue head on. The White Paper states quite unequivocally that *“the housing shortage isn’t a looming crisis, a distant threat that will become a problem if we fail to act. We are already living in it.”*
- 3.2.7 Tackling the housing shortage is not easy. It will inevitably require some tough decisions. But the alternative, according to the White Paper, is a divided nation, with an unbridgeable and ever-widening gap between the property haves and have-nots.
- 3.2.8 The challenge of increasing supply cannot be met by Government alone. It is vital to have local leadership and commitment from a wide range of stakeholders, including local authorities, private developers, housing associations, lenders and local communities.
- 3.2.9 The starting point is building more homes. This will slow the rise in housing costs so that more ordinary working families can afford to buy a home and it will also bring the cost of renting down. We need more land for homes where people want to live. All areas therefore need a plan to deal with the housing pressures they face.
- 3.2.10 Currently, over 40 per cent of local planning authorities do not have a plan that meets the projected growth in households in their area. All local authorities should therefore develop an up-to-date plan with their communities that meets their housing requirement based upon an honest assessment of the need for new homes.
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- 3.2.11 Local planning authorities have a responsibility to do all that they can to meet their housing requirements, even though not every area may be able to do so in full. The identified housing requirement should be accommodated in the Local Plan, unless there are policies elsewhere in the Framework that provide strong reasons for restricting development, or the adverse impacts of meeting this requirement would significantly and demonstrably outweigh the benefits. Where an authority has demonstrated that it is unable to meet all of its housing requirement, it must be able to work constructively with neighbouring authorities to ensure the remainder is met.
- 3.2.12 Plans should be reviewed regularly, and are likely to require updating in whole or in part at least every five years. An authority will also need to update their plan if their existing housing target can no longer be justified against their objectively assessed housing requirement.
- 3.2.13 Policies in Local Plans should also allow a good mix of sites to come forward for development, so that there is choice for consumers, places can grow in ways that are sustainable, and there are opportunities for a diverse construction sector including opportunities for SME housebuilders to deliver much needed housing.
- 3.2.14 In terms of rural areas, the Government expects local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the need to provide homes for local people who currently find it hard to live where they grew up. It is clear that improving the availability and affordability of homes in rural areas is vital for sustaining rural communities, alongside action to support jobs and services. There are opportunities to go further to support a good mix of sites and meet rural housing needs, especially where scope exists to expand settlements in a way which is sustainable and helps provide homes for local people. This is especially important in those rural areas where a high demand for homes makes the cost of housing a particular challenge for local people.
- 3.2.15 Finally, the Government has made it clear through the White Paper that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people.
- 3.2.16 The White Paper is the cornerstone of future Government policy on fixing the broken housing market. It provides the direction of travel the Government is intending to take and is a clear statement of intent that this Government is serious about the provision of the right number of houses in the right places. The Tendring Local Plan therefore needs to consider
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these policy intentions now in order to ensure that it fulfils the Government's agenda and provides the homes that its local communities need.

- 3.2.17 Following the election, Sajid Javid re-iterated the Government's intentions for boosting housing growth stating that he wants areas that have benefitted from soaring property prices to play their part in solving the housing crisis. Mr Javid pointed out that where property prices were particularly unaffordable, local leaders would need to take a long, hard and honest look to see if they are planning for the right number of homes. He also announced that a new consultation on a standardised methodology for calculating housing needs would be released in July 2017. The Council will therefore need to consider the implications of this consultation going forward.
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## **4 DUTY TO COOPERATE**

### **4.1 Overview**

- 4.1.1 The Duty to Cooperate is a legal requirement established through Section 33(A) of the Planning and Compulsory Purchase Act, 2004, as amended by Section 110 of the Localism Act. It requires local authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues throughout the process of Plan preparation. As demonstrated through the outcome of the 2012 Coventry Core Strategy Examination and the 2013 Mid Sussex Core Strategy Examination, if a Council fails to satisfactorily discharge its Duty to Cooperate, this cannot be rectified through modifications and an Inspector must recommend non-adoption of the Plan.
- 4.1.2 Whilst Gladman recognise that the Duty to Cooperate is a process of ongoing engagement and collaboration as set out in the PPG, it is clear that it is intended to produce effective policies on cross boundary strategic matters. In this regard, the Tendring District Plan must be able to demonstrate that it has engaged and worked with neighbouring authorities, alongside their existing joint working arrangements, to satisfactorily address cross boundary strategic issues and the requirement to meet any unmet housing needs. This is not simply an issue of consultation but a question of effective cooperation.
- 4.1.3 Tendring is working alongside the other North Essex Authorities (Colchester and Braintree) to prepare a strategic plan which sets the overall strategic framework for planning in the area upon which, the local plans can be based. This approach is to be welcomed as it allows the authorities to address cross-boundary strategic issues such as the delivery of new settlements in a coordinated manner. It is considered that Maldon is also part of the same Housing Market Area as Tendring, Colchester and Braintree but it is recognised that their Local Plan preparation is ahead of the other authorities and for practical purposes it may not be possible to align key evidence. However, it is important to recognise that the North Essex authorities have a number of key links with other LPAs outside of North Essex including Maldon, Chelmsford and Uttlesford and they need to work cooperatively with these authorities, through the Duty to Cooperate to address cross boundary issues.
- 4.1.4 It is noted in paragraph 1.8 of the TDLP that Chelmsford is part of the Housing Market Area (HMA) which encompasses the North Essex authorities who are preparing the joint plan, however they are not part of the joint plan making process. The Council will therefore need to ensure that such an approach is robustly evidenced, and that regardless of the joint plan making between Colchester, Braintree and Tendring sufficient consideration of strategic
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issues as they relate to Chelmsford are undertaken through the Duty to Cooperate. For example, the planned opening of Crossrail which has its eastern terminus at Shenfield, near Chelmsford.

- 4.1.5 Further, the PPG reflects on the public bodies which are subject to the duty to cooperate. It contains a list of the prescribed bodies. The PPG then goes on to state that:

**“These bodies play a key role in delivering local aspirations, and cooperation between them and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters.”**

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## **5 SUSTAINABILITY APPRAISAL**

### **5.1 Context**

- 5.1.1 Under Section 19 of the 2004 Planning and Compulsory Purchase Act, policies set out in Local Plans must be subject to Sustainability Appraisal (SA). Incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, SA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the Local Plan's proposals on sustainable development when judged against reasonable alternatives.
- 5.1.2 The Council need to ensure that the results of the SA process clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. Undertaking a comparative and equal assessment of each reasonable alternative, the Council's decision making and scoring should be robust, justified and transparent.
- 5.1.3 Gladman remind the Council that there have now been a number of instances where the failure to undertake a satisfactory SA has resulted in Plans failing the test of legal compliance at Examination or being subjected to legal challenge.

### **5.2 North Essex and Tendring Sustainability Appraisal**

- 5.2.1 Gladman instructed Lichfields to assess the outputs from the Sustainability Appraisal (SA) that has been undertaken for the Part 1 North Essex Authority Plan and the Part 2 Tendring Local Plan. Associated Part 2 reports were also prepared for Braintree and Colchester.
- 5.2.2 The report, included in full as Appendix 1, has made a number of conclusions which are set out in summary in the paragraphs below.
- 5.2.3 Although the quantity of sites assessed for garden communities is deemed acceptable, the site selection has been artificially suppressed by the 5,000-dwelling threshold that has been applied. There is overwhelming evidence that this has resulted in a narrow focus being applied to the consideration of the new Garden Community options.
- 5.2.4 The Sustainability Assessment for Tendring only explores a settlement hierarchy approach to the spatial distribution of housing and there is no evidence to suggest that this is the most sustainable approach to development in Tendring.
- 5.2.5 The Sustainability Appraisal's approach to site allocations in Tendring cannot be considered robust as they are built on an unjustified approach to housing distribution. They have been
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considered against which settlement they are in and therefore this has the potential to exclude more sustainable sites just because they are located in a settlement where there are already enough site allocations or it is within a settlement which is further down in the hierarchy.

- 5.2.6 On top of this, nowhere in the SA is the appropriate level of development for each settlement in the hierarchy established and therefore it is completely unknown if this is the most sustainable level that could be achieved. There is also no clarity as to why strategic housing allocations have been chosen in the areas they have been and why those in other locations have been excluded.
- 5.2.7 On the whole, these factors set out that there is a distinct lack of information supporting any of the conclusions made on housing distribution and site allocations and therefore they cannot be relied upon within this Sustainability Appraisal to allow the Local Plan to be found sound.
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## **6 OBJECTIVELY ASSESSED HOUSING NEED (OAN)**

### **6.1 Background**

6.1.1 The process of undertaking an OAN is clearly set out in the Framework, principally in §14. §47, §152 and §159 and should be undertaken in a systemic and transparent way to ensure that the plan is based on a robust evidence base.

6.1.2 The starting point for this assessment requires local planning authorities to have a clear understanding of housing needs in their area. This involves the preparation of a Strategic Housing Market Assessment (SHMA) working with neighbouring authorities where housing markets cross administrative areas as detailed in §159 of the Framework. The Framework goes on to set out factors that should be included in a SHMA including identifying:

**“the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:**

- **Meets household and population projections taking account of migration and demographic change;**
- **Addresses the need for all types of housing including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and**
- **Caters for housing demand and the scale of housing supply necessary to meet this demand.”**

6.1.3 Key points that are worth noting from the above are that the objective assessment should identify the full need for housing before the Council consider undertaking any process of assessing the ability to deliver this figure. In addition, §159 specifically relates to catering for both housing need and housing demand within the authority area. It is also worth pointing out that any assessment of housing need and demand within the SHMA must also consider the following factors; falling household formation rates, net inward migration, the need to address the under provision of housing from the previous local plan period, the results of the Census 2011, housing vacancy rates including the need to factor in a housing vacancy rate for churn in the housing market, economic factors to ensure that the economic forecasts for an area are supported by sufficient housing to deliver economic growth,

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offsetting a falling working age population by providing enough housing to ensure retiring workers can be replaced by incoming residents, addressing affordability and delivering the full need for affordable housing in the area.

- 6.1.4 Of particular importance is the need to consider market signals. The consideration of market signals is one of the core planning principles considered in §17 of the Framework, which states:

**“Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.”**

- 6.1.5 Of critical importance is what the Framework goes on to say in §158 in the section discussing Plan Making. It states here that:

**“Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.”**

- 6.1.6 Market signals are therefore at the very core of what the Framework is trying to achieve in promoting sustainable development and boosting the supply of housing land.

- 6.1.7 The Planning Practice Guidance (PPG) gives further explanation to what the Framework means with regards to market signals, and sets out in a range of paragraphs the way in which local planning authorities should go about factoring in relevant market signals in arriving at their OAN. §19 and §20 of the PPG gives guidance on what market signals should be taken into account and how plan makers should respond to these market signals. The below extract identifies some particularly pertinent points:

**“The housing need number suggested by household projections (the starting point) should be adjusted to reflect the appropriate market signals, as well as other market indicators of the balance between demand for and supply of dwellings. Prices of rents rising faster than national/local average may well indicate particular market undersupply relative to demand.”**

- 6.1.8 The paragraph goes on to indicate that these factors would include, but should not be limited to land prices, house prices, rents, affordability, rates of development and
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overcrowding. However, given what the Framework says at §17, quoted above, it seems clear that particular consideration should be given to affordability.

- 6.1.9 In order to consider how market signals should be taken forward §20 identifies some key concepts:

**“Appropriate comparisons of indicators should be made. This includes comparison with longer term trends (both in absolute levels and rates of change) in the: housing market area; similar demographic and economic areas; and nationally. A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”**

- 6.1.10 It is therefore clear that where market signals are apparent (in any of the indicators assessed) there is an absolute and clear direction that an upward adjustment to housing numbers is required. It is also clear that both the level of change and the rates of change are considerations and that local planning authorities need to carefully benchmark themselves against other areas. This should not simply be a case of considering neighbouring authorities but should look at, as well as these, local authorities on a national basis, if the demographic and economic indicators are relevant. Gladman are firmly of the view that considering comparisons purely against neighbouring authorities is not sufficiently robust and does not address the underlying issues which both the Framework and the PPG are trying to tackle with regard to housing.

- 6.1.11 What is of further importance when considering these issues is the period of time analysed when considering both relative and absolute change. It has become apparent in our consideration of a number of plans that many local planning authorities choose to look at periods of time which are not fully representative of the depth of the housing crisis which we are currently within.

- 6.1.12 Gladman is of the view that local planning authorities must take a long-term view when considering affordability and consider the relative and absolute change over a long term 15-20 year period, which coincides with the normal time span of a Local Plan. Authorities should assess as a constituent part of their OAN, how they can improve affordability over the life time of a plan to a point where affordability is more in line with average earnings and affordable mortgage lending rates. They should assess a level of housing over the 15-20 year plan period which would enable this step change and consider its deliverability in the plan. Only through planning for significant housing growth can local authorities realistically

tackle market signals in the way advocated by the PPG and tackle the affordability and housing crisis.

- 6.1.13 The need to identify the full OAN before considering any issues with the ability of a Local Planning Authority to accommodate that level of development has been confirmed in the High Court. Most notably in *Solihull Metropolitan Borough Council v (1) Gallagher Homes Limited (2) Lioncourt Homes Limited* where it was considered that arriving at a housing requirement was a two-stage process and that first the unconstrained OAN must be arrived at. In the judgment, it was stated:

**“The NPPF indeed effected a radical change. It consisted in the two-step approach which paragraph 47 enjoined. The previous policy’s methodology was essentially the striking of a balance. By contrast paragraph 47 required the OAN [objectively assessed need] to be made first, and to be given effect in the Local Plan save only to the extent that that would be inconsistent with other NPPF policies. [...] The two-step approach is by no means barren or technical. It means that housing need is clearly and cleanly ascertained. And as the judge said at paragraph 94, “[h]ere, numbers matter; because the larger the need, the more pressure will or might be applied to [impinge] on other inconsistent policies”.**

- 6.1.14 Therefore, following the exercise to identify the full OAN for housing in an area:

**“Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate.” (NPPF §152)**

- 6.1.15 This statement clearly sets out that local planning authorities should seek to deliver the full OAN and that this should be tested through the evidence base. Only where the evidence shows that this is not achievable, should they then test other options to see if any significant adverse impacts could be reduced or eliminated by pursuing these options. If this is not possible then they should test if the significant adverse impacts could be mitigated and where this is not possible, where compensatory measures may be appropriate.
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6.1.16 The final stage of the process is outlined in §14 and involves a planning judgement as to whether, following all of the stages of the process outlined above:

**“Local Plans should meet OAN, with sufficient flexibility to adapt to rapid change, unless:**

- **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or**
- **specific policies in this Framework indicate development should be restricted.”**

6.1.17 It is also worth noting that the final part of this sentence refers to footnote 9 of the Framework which sets out the types of policies that the Government consider to be restrictive. These include:

**“sites protected under the Birds and Habitat Directive (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion”.**

6.1.18 Although this list is not exhaustive it is clear that local landscape designations, intrinsic value of the countryside, character of areas, green gaps etc. are not specifically mentioned as constraints by the Framework.

6.1.19 Obviously, the Government intends to standardise the calculation of housing need as set out in the White Paper on housing. As yet, we are unaware of what the new methodology will involve but the Council will need to keep the evidence base of the Local Plan under constant review to ensure that it reflects the latest guidance as the White Paper is implemented. It is anticipated that the consultation on the standardised housing needs calculation will take place in July/August 2017.

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## **7 SHARED STRATEGIC PLAN - TENDRING**

### **7.1 Overview**

- 7.1.1 Gladman note the positive intentions for the North Essex areas as outlined in paragraphs 1.1 – 1.13 of the Plan. Clearly there are a range of issues which promote the need for a strategic approach and Gladman support the concept of joint plan making to ensure that unmet housing needs can be met in a region or sub region. That said, Gladman note a number of concerns from the opening paragraphs of Section 1.
- 7.1.2 Firstly, it is noted in paragraph 1.8 that Chelmsford is part of the Housing Market Area (HMA) which encompasses the North Essex authorities who are preparing the joint plan, however they are not part of the joint plan making process. The Council will need to ensure that such an approach is robustly evidenced, and that regardless of the joint plan making between Colchester, Braintree and Tendring sufficient consideration of strategic issues as they relate to Chelmsford are undertaken through the Duty to Cooperate. For example, the planned opening of Crossrail which has its eastern terminus at Shenfield, near Chelmsford.
- 7.1.3 Similarly, the plan in paragraph 1.10 also acknowledges that the adjacent authorities of Maldon and Uttlesford sit outside the HMA, but that ongoing consideration has been given to strategic issues with these authorities. Gladman remain sceptical of the view that Maldon sits outside of the HMA, nevertheless, as we outline in the previous paragraph, it will be imperative that even if the above authorities are considered to be outside of the HMA the cross boundary strategic issues will require addressing through the Duty to Cooperate. In particular, with regard to Uttlesford due consideration will need to be given to key regional issues such as the planned growth at Stanstead Airport.
- 7.1.4 The plan in paragraph 1.25 clearly recognises the economic growth potential of the area, as we have highlighted above there are also regional infrastructure drivers which are likely to sustain significant economic growth over the plan period and beyond. Gladman are therefore supportive of the joint plan making initiative and its desire to sustainably meet development needs. The Councils however must not ignore their neighbouring authorities in Essex as they plan for the future of their districts.

### **7.2 Vision for the Strategic Area**

- 7.2.1 The vision for the areas is set out within paragraph 1.30 of the consultation document. Whilst Gladman are fully supportive of the ambitious nature of this vision, seeking for North
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Essex to be an area of significant growth over the period to 2033 and beyond, it is critical that the plan provides the policies which are capable of delivering this vision.

7.2.2 It is key that this positive vision remains within the strategic plan and that it seeks to provide for significant economic growth and housing to meet the full needs of the districts. Alongside this it is fundamental that the associated infrastructure is planned for and delivered at the appropriate time. These themes, critically, must also cascade down beyond the joint strategic plan and become the cornerstones for the development of the policies within the individual Local Plans.

7.2.3 Clearly North Essex has an important role to play, not just locally, but as a key element of wider national importance. Its location in the South East, largely free of constraints mean that as well as being able to capitalise on the economic growth of Essex, and the important infrastructure at Stanstead Airport and through Crossrail, it can make a significant contribution towards helping alleviate housing pressure on both London and the constrained Green Belt authorities to the south. These wider regional issues should not be forgotten when considering the context of North Essex and the vision and policies within the plans.

### **7.3 Policy SP1 – Presumption in Favour of Sustainable Development**

7.3.1 Gladman are fully supportive of the inclusion of the policy on Sustainable Development. The ethos of sustainable development is key to assessing planning proposals, it is the golden thread running through the NPPF.

### **7.4 Policy SP2 – Spatial Strategy for North Essex**

7.4.1 Gladman note the different spatial strategies for the component authorities within the Local Plan, we will comment on the spatial strategy for Tendring in the following section. With regard to the specific provision of Policy SP2, Gladman support the fact that growth will effectively come from development in and around existing settlements and through the new garden communities allocated in the plan. We also support the policy in recognising that the level of growth to be apportioned to a settlement will depend on the needs of that settlement and that in particular the diversification of the rural economy will be important. It will be important for the spatial strategies of the individual local plans to have these issues in mind when allocating sites and considering planning applications.

7.4.2 Gladman's experience is that the best way in which to ensure the delivery of housing targets is to maintain a good spread of sites and site typologies across the districts. When

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considering the housing needs in North Essex (and with one eye to the next plan period) it is reasonable for the Council to consider new settlements. Gladman would contend however, that there is an additional level of sites which could require further consideration by the Councils to ensure they can meet their short and medium term housing needs. Whilst the new garden settlements will help meet housing demands in the medium/long term, the level of infrastructure required to deliver the sites is costly and substantial. It is therefore likely to take time to implement.

7.4.3 On the other end of the scale the smaller allocations in the plan will no doubt deliver quickly. To fill the gap between the two, Gladman consider that the Council may wish to further assess proposals for new garden villages. These new settlements of typically 1,000-1,500 dwelling can be developed in places where there is considerable existing infrastructure and can be brought forward relatively quickly. Such proposals, if carefully selected, can contribute dwelling completions within the first 5-10 years of a plan period, thus giving the Council more of a buffer.

7.4.4 It is our view therefore, that the spatial strategy needs to recognise new garden villages as well as the larger garden settlements. These, in addition to the smaller allocations, will help the plan soundly meets its housing targets.

7.4.5 We consider these issues further below when we address the level of overall housing need in North Essex and when considering overall Local Plan trajectories. However at this time, whilst there is support for elements of policy SP2, without provision for the medium size sites, such as new Garden Villages we consider the spatial strategy would be problematic in delivering housing needs. We therefore consider it inconsistent with National Policy and not justified or effective and as such unsound.

## **7.5 Policy SP3 – Meeting Housing Needs**

7.5.1 Gladman object to Policy SP3 in that it fails to identify the full need for housing across the Housing Market Area (HMA).

7.5.2 Gladman instructed Barton Willmore to prepare a critique of the Council's latest housing needs evidence base to assess how robust the study was. The full report is attached as Appendix 2 and relates specifically to Tendring District. However, Barton Willmore undertook this exercise on an HMA basis and for ease of use, prepared three reports, one for each of the districts currently consulting upon their Plans (Braintree, Colchester and Tendring). The representations that Gladman have prepared for the other districts' consultations (Braintree and Colchester) contain the detailed reports relating to each of the respective authorities.

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- 7.5.3 Barton Willmore consider that Maldon forms part of the wider HMA and should have been included within the study of housing needs.
- 7.5.4 Whilst the Housing Needs Update Report correctly identifies the demographic starting point for Braintree, Colchester and Chelmsford, it presents a figure for Tendring of 480 dwellings per annum which is below the DCLG 2014-based Household Projections starting point of 674 dwellings per annum. This is due to an adjustment which is made by the study to account for Unattributable Population Change (UPC). Barton Willmore consider that it is inappropriate to make such an adjustment because of a number of factors which are highlighted in Section 4 of their report (Appendix 2) and on this basis, they consider the correct demographic starting point for Tendring should be **674 dwellings per annum**.
- 7.5.5 No consideration has been made within the Housing Needs Update Report of alternative migration trends for Tendring whereas for Braintree, Colchester and Chelmsford alternative trends have been considered.
- 7.5.6 The Housing Needs Update Report concludes that based upon the Greater London Authority (GLA) demographic scenario which looks at increased migration out of London, only an additional 74 dwellings per annum will be needed across the HMA to house out-migrants from London. The report concludes that this increase is insignificant and therefore does not make an adjustment to overall housing need in the HMA. Barton Willmore disagree as 74 dwellings per annum across the Plan period would total an additional 1,776 dwellings across the HMA.
- 7.5.7 The Housing Needs Update Report does not make any adjustment to address suppressed household formation which Barton Willmore have identified as an issue in Tendring due to undersupply and worsening affordability.
- 7.5.8 The Housing Needs Update Report does not provide a consistent approach to the assessment of the economic element of the housing needs calculation. A different approach is applied to Tendring based upon the demographic adjustment made for UPC. Barton Willmore consider that the approach to UPC employed is fundamentally flawed and consequently any adjustment to the economic element of the housing need calculation should similarly not include an adjustment for UPC.
- 7.5.9 The Housing Needs Update Report only considered a single economic forecast and economic forecasts can vary greatly between forecasting houses. In order to avoid any volatility, Barton Willmore suggest that the study should have considered economic
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forecasts from the three recognised forecasting houses and calculated a triangulated average.

- 7.5.10 Another weakness of the Housing Needs Update Report is that it provides no detail of how issues such as unemployment, commuting or economic activity rates have been considered in Tendring. Relying on Experian's Economic Activity Rates has been acknowledged by various Inspectors as risky as they place a reliance on high economic activity rates for older people.
- 7.5.11 Finally, whilst the Housing Needs Update Report acknowledges worsening Market Signals and makes an adjustment of a 15% uplift for Tendring, based upon the evidence and other methods of calculating the level of uplift required to address affordability, a higher uplift is justified.
- 7.5.12 In Barton Willmore's professional opinion, 550 dwellings per annum represents an under estimate of the level of housing need for Tendring and at the minimum, there is a need for **674 dwellings per annum** simply to meet the demographic need identified by DCLG in the household projections. Barton Willmore's overall conclusion is that the true level of housing need in Tendring is between 674 and 972 dwellings per annum.
- 7.5.13 This section has set out a brief summary of Barton Willmore's findings and for the detail, the Council should refer to the full report attached as Appendix 2.

## **7.6 Policy SP5 –Infrastructure and Connectivity**

- 7.6.1 Gladman commissioned Strutt and Parker to undertake an assessment of the delivery of the North Essex Garden Communities. As this report covers all of the Garden Communities and relates specifically to the strategic Part 1 North Essex Plan (the subject of a joint Examination in Public), the detail of its findings has been covered in Gladman's representations submitted as part of the response to the Colchester Borough Local Plan to avoid repetition.
- 7.6.2 Therefore, for Gladman's response to Policy SP5 please see Gladman's Colchester representations.

## **7.7 Policy SP7 – Development and Delivery of New Garden Communities in North Essex**

- 7.7.1 Gladman notes the proposal to establish three new garden communities which are on the Tendring/Colchester boundary, Colchester/Braintree boundary and West of Braintree. Gladman supports the concept of new garden communities which represent a potentially
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sustainable means of providing new homes, jobs and associated community infrastructure in the long term. It is, however, concerned that the scale, complexity and development requirements of the garden communities proposed is such that their anticipated deliverability is questionable and consequently considers that the Plan contains unrealistic expectations for the delivery of new housing on such developments.

- 7.7.2 The two new garden communities proposed for Braintree District are ultimately expected to deliver between 15,000 and 24,000 new homes (Colchester/ Braintree Borders) and between 7,000 and 10,000 homes (West of Braintree) respectively. Both are expected to deliver 2,500 homes in the Plan period. The plan only identifies broad search areas for both proposals and it is proposed that further detail will be provided in due course by additional Strategic Growth Development Plan Documents which will be prepared for both garden community proposals jointly with Colchester Borough Council and Uttlesford District Council respectively.
- 7.7.3 Similarly, the new garden community on the border between Colchester and Tendring is proposed to be allocated for 7,000-9,000 dwellings with 2,500 anticipated to be delivered within the Plan period. Again, the plan only identifies a broad area of search for the proposal and it is proposed that further detail will be provided in due course by additional Strategic Growth Development Plan Documents
- 7.7.4 Having regard to the need for the preparation of the Strategic Growth Development Plan Documents, a significant amount of land assembly to be undertaken, the need for a considerable amount of infrastructure to be provided and the expectation that these developments will each involve two authorities, Gladman considers that it is extremely unlikely that the delivery of new housing on these sites will be achieved within the timescales anticipated by the Councils. Furthermore, the inclusion of a requirement for Gypsy and Traveller provision to be made on the sites is also likely to add further complications (and thus delay) to the development process.
- 7.7.5 Gladman considers therefore, that there must be some degree of uncertainty as to whether the garden communities will deliver any homes at all during the plan period and that certainly the anticipated number of new homes that the Plan expects to be delivered within the plan period will be significantly less than set out in the policy.
- 7.7.6 Paragraph 1.108 of the Plan states that each of the garden communities is planned to deliver 2,500 dwellings and that no matter where they are physically built within the Local Plan period to 2033, they will be attributed as set out in section 2 of each of the individual Local
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Plans, or if more dwellings are built then on a 50:50 ratio between the two districts concerned." Gladman considers that such a manipulation of completions is artificial and is totally unjustified and unsupported by the NPPF and PPG. Dwelling completions can only accrue to the authority in which they are physically located. Bearing in mind that the location of the new garden communities are only indicative 'broad locations' at this stage, there is a possibility that when the extent of these proposed developments are finalised, the proportion of each site that is within one authority may actually be very small and its housing capacity may bear very little relationship with the above mentioned mechanism set out in the Local Plan.

## **7.8 Policy SP8 – Tendring/Colchester Border Garden Community**

- 7.8.1 The new garden community on the border of Tendring and Colchester is proposed in Policy SP8 for between 7,000 and 9,000 dwellings with 2,500 dwelling anticipated for delivery before the end of the Plan period in 2033.
- 7.8.2 Whilst Gladman support the concept of garden communities, we have concerns with various aspects of their deliverability and question whether 2,500 units will be delivered by the end of the Plan period.
- 7.8.3 The site also requires the provision of pitches for Gypsy and Travellers as part of the allocation which presents additional barriers to the delivery of the site.
- 7.8.4 Policy SP8 requires a Strategic Growth DPD to be prepared which will set out the form and boundary of the new community and will also include a concept plan detailing the disposition and quantity of future land uses together with a phasing and implementation strategy.
- 7.8.5 With the need to prepare the Strategic Growth DPD, along with a significant amount of land assembly to be undertaken, the need for a considerable amount of infrastructure to be provided and the expectation that the development will involve two authorities, Gladman consider that there will be significant lead-in times associated with the site which calls into question its ability to deliver 2,500 units by 2033.
- 7.8.6 Policy SP8 also sets out a comprehensive and detailed list of requirements which will need to be provided as part of the development of the garden community. This includes 30% affordable housing, employment provision, a package of transport improvements, new healthcare facilities, new district and neighbourhood centres, a secondary school, primary schools and early-years facilities amongst other requirements.
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- 7.8.7 With the requirement set out in Policy SP7 for the sequencing of development and infrastructure on the garden communities which needs to ensure that the latter is provided ahead of or in tandem with the development it supports, issues of development viability, cashflow and equalisation of developer contributions amongst the various interested parties will be complex. The legal agreements associated with any planning proposals for the site will similarly be lengthy and complex which will add significantly to the lead-in times associated with the site.
- 7.8.8 The work undertaken by Strutt and Parker on behalf of Gladman on the viability and deliverability of the garden community sites (submitted as part of the Gladman's representations on Part 1 of the Colchester Plan), coupled with the complexities outlined above, must call into question the ability of the garden communities to deliver the numbers of units that the Councils expect them to deliver in the Plan period. If this is the case, then additional sites will be required in the short to medium term to ensure housing delivery is maintained and a 5-year housing land supply can be demonstrated across the plan period before the garden communities come on stream. These sites should offer something different from the large scale strategic allocations to ensure competition in the market and to ensure that small to medium sized housebuilders have an opportunity to deliver sites within the districts. Smaller scale housing sites will therefore be required to plug the inevitable gap in housing supply and Gladman consider that the sites included in these representations offer suitable, available and deliverable alternatives which should be allocated in the Tendring Local Plan (See Appendices 3, 4, 5 and 6)..
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## 8 LOCAL PLAN FOR TENDRING

### 8.1 Vision and Objectives

- 8.1.1 Gladman support the Vision contained in the Tendring Local Plan which seeks to meet local housing needs through a range of high quality new housing. The Council should not only be seeking to meet local needs, but should do everything it can to exceed the housing requirement given the lack of delivery in the past and the uncertainty over unmet housing needs in London.
- 8.1.2 Gladman support in principle, the Vision to create a new garden suburb to the east of Colchester on the border with Tendring to help meet the needs of both areas, although we have concerns over the site's ability to deliver in the timeframe set out in Part 1 of the Plan.
- 8.1.3 Gladman also support the Council's Vision to deliver modest levels of housing growth in the larger villages to support local services and facilities and meet local housing needs in areas such as Lawford. However, it is considered that the smaller villages such as Ardleigh are also capable of providing modest housing growth, in scale with the existing settlements, to ensure that their current services and facilities are maintained and local housing need is met. This should be reflected in the Vision.
- 8.1.4 Gladman consider that Objective 1 should be amended to state that the main objective is to meet housing needs **in full** by providing new dwellings with sufficient variety to meet the needs of a growing and ageing population.
- 8.1.5 In allocating sites, the Council should therefore be mindful that to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. For any given time period, all else being equal, overall sales and build out rates are faster from 20 sites of 50 units than 10 sites of 100 units or 1 site of 1,000 units. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand. In summary, a wider variety of sites in the widest possible range of locations ensures all types of house builder have access to suitable land which in turn increases housing delivery.
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## **8.2 Policy SPL1: Managing Growth**

- 8.2.1 Whilst it is supported that the main urban areas continue to play a key role in the accommodation of future development within the district, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Para 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability. It is essential therefore, that the needs of the sustainable rural settlements across the district, including Lawford and Ardleigh are assessed and meaningful growth apportioned to them to ensure their ongoing vitality and viability.
- 8.2.2 Gladman support the inclusion of a detailed Settlement Hierarchy in Policy SPL1 of the Plan and the definition of Clacton, Harwich and Dovercourt as Strategic Urban Settlements. Gladman consider that the Garden Community on the border of Colchester and Tendring is a potential appropriate solution to delivering the level of housing growth required to meet the needs of both districts in the long term but do have concerns over the viability of the proposal and the timescale for delivery.
- 8.2.3 Gladman also support the identification of Lawford as a Smaller Urban Settlement where modest levels of housing growth will be directed. Lawford is a vibrant settlement which adjoins the built-up area of the town of Manningtree and provides the community with direct access to a primary school, GP surgery and other services within Manningtree including a high school, train station, a range of retail opportunities, a pharmacy, public houses and a Post Office.
- 8.2.4 Gladman consider that given Lawford's services and facilities and its lack of constraints, the settlement is capable of supporting further growth beyond the minimum 1,500 to 2,500 dwellings proposed for this tier of the settlement hierarchy within the Local Plan
- 8.2.5 However, Gladman consider that Ardleigh is miss-categorised as a Smaller Rural Settlement both in terms of its current levels of services and facilities and its proximity and connections to Colchester. The settlement is by far the best performing Smaller Rural Settlement in terms of overall sustainability and is served by a number of core services including a primary school, a G.P. Surgery, a Post Office, a convenience store and a public house. It also has a village hall, playing fields and various sports clubs. There is a good level of employment within a 20-minute travel time of the settlement and fast broadband speeds are available that are sufficient to support home working, leisure and business activities.
- 8.2.6 Ardleigh is therefore considered to be a sustainable settlement with good access to services and facilities to meet the daily needs of its residents. It is located in close proximity to
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Colchester with high quality bus service from early morning until the evening allowing easy access to the town for employment, education and leisure purposes. It is therefore considered that Ardleigh should be categorised as a Rural Service Centre.

### **8.3 Policy SPL2: Settlement Development Boundaries**

8.3.1 The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework.

8.3.2 The Policy has been substantially reviewed since the previous version of the Plan and is now more positive in its approach to development outside of the arbitrary Settlement Development Boundaries (SDB). The Council should recognise that a site's location outside of a SDB is only one factor that should be weighed in the planning balance when considering any particular proposal and it should not be the determinative factor in assessing whether a scheme is acceptable or not.

### **8.4 Policy SPL3: Sustainable Design**

8.4.1 Policy SPL3 introduces a large number of criteria which proposals **must** meet in order to be considered acceptable. Gladman would point out that the Framework is based on a planning balance exercise being undertaken by the decision maker and it is only where the harms of a proposal significantly and demonstrably outweigh the benefits that planning permission should be refused. Policy SPL3 should therefore be worded to allow the decision maker to undertake such a balancing exercise and so that failure to meet any one of the criteria listed would not automatically mean a failure to conform with the policy overall. At present, Policy SPL3 is not worded in this positive fashion and should be redrafted.

8.4.2 Criterion (a) under Part B of the Policy states that proposals should not lead to an unacceptable increase in congestion. This is contrary to the Framework as para 32 states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. Criterion (a) should be reworded to reflect this guidance.

8.4.3 Part C of Policy SPL3 also requires developers to consider the use of renewable energy and the reductions of emissions as part of any proposals. The Written Ministerial Statement of 25<sup>th</sup> March 2015 clearly states that improvements in energy efficiency and carbon reductions will be delivered through changes to Building Regulations with only a limited number of

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optional technical standards that can be required through local plans where supported by specific evidence. There is no evidence that the Local Plan should require such measures and therefore this reference should be deleted from the Policy.

## **8.5 Policy HP4: Safeguarded Local Greenspace**

8.5.1 Gladman take this opportunity to remind the Council of the tests which need to be met when seeking to designate Local Green Space (LGS).

8.5.2 Paragraph 77 of the Framework sets out the following in terms of when it is appropriate or not to designate land as a LGS.

*“The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*

- *Where the green space is in reasonably close proximity to the community it serves;*
- *Where the green area is demonstrably special to a local community and holds particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *Where the green area concerned is local in character and is not an extensive tract of land.”*

8.5.3 The Planning Practice Guidance (PPG) provides further guidance on LGS designations including paragraph ID. 37-015-20140306,

*“There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgement will inevitably be needed. However, paragraph 77 of the National Planning Policy Framework is clear that Local Green Space Designation should only be used where the green area concerned is not an extensive tract of land. Consequently, blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a ‘back door’ way to try to achieve what would amount to a new are of Green Belt by another name.”*

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## **8.6 Policy LP1: Housing Supply**

- 8.6.1 Gladman have some concerns with regards to the Housing Land Supply Policy LP1. Our issues with the overall housing requirement have been set out above in Section 7.5 and in the report prepared by Barton Willmore on our behalf (Appendix 2). It is therefore not necessary to repeat these here.
- 8.6.2 Paragraph 5.1.3 of the Plan refers to the 550 homes a year housing requirement as a target. This is not consistent with the Framework as housing requirements should be expressed as a minimum and should be exceeded if possible. This statement should therefore be amended.
- 8.6.3 The table set out within Section 5.1 of the Plan (Table A) also includes completions data from the start of the Plan period until 2016/17. This shows an existing shortfall in housing supply against the housing requirement totalling 826 units or one and a half years' worth of supply. This is a significant under-supply of dwellings and represents real people in need of housing now.
- 8.6.4 In fact, Tendring have only achieved their housing requirement in one year (2016/17) out of the first four years of the plan period. Given the fact that the Council has also not met its housing requirement in 10 of the past 19 years between 1996/97 and 2014/15, it is inevitable that the Council needs to apply a 20% buffer to its housing requirement as required by the Framework for persistent under-delivery.
- 8.6.5 In addition, based upon the housing trajectory which is included in the latest Annual Monitoring Report (2015/2016), the Council are anticipating the delivery of just over 400 units in 2017/18 which again is below the new housing requirement, further adding to the housing under-supply.
- 8.6.6 Based on the guidance set out in the Planning Practice Guidance (PPG), the Council should be seeking to address this housing shortfall in the first five years of the Plan period. This would mean a significant step change in housing delivery for the Council once the Plan is adopted.
- 8.6.7 It is therefore essential that the Council allocates a range of housing sites in a variety of locations and of a variety of sizes to ensure that the housing needs of local people are delivered in the short term, before the large scale strategic sites come on stream and to meet the significant backlog.
- 8.6.8 Gladman are also concerned with the level of windfall sites that the Council are including within the housing supply going forward. The Framework states that local planning
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authorities may make an allowance for windfall sites if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply going forward. Any allowance should be realistic having full regard to the Strategic Housing Land Availability Assessment (SHLAA). Therefore, in order to include a windfall allowance in the Plan, Tendring will have to provide robust and credible evidence on this source of supply to justify the 1,399 units which is included in the Local Plan.

- 8.6.9 The table on page 115 sets out that the Council's housing requirement over the Plan period is 11,000 units whilst the sources of supply listed total 12,001, a contingency of 9.1%. This is considered to be too little flexibility to mitigate against sites not coming forward as anticipated in the Local Plan. Given the issues raised in this representation regarding the speed of delivery of the strategic sites, it is considered that a 20% flexibility factor is built into the Local Plan which is equivalent to 2,200 units above the housing requirement.

## **8.7 Policy LP2: Housing Choice**

- 8.7.1 Gladman support Policy LP2 in that the Council will support the development of retirement complexes, extra care housing and other forms of residential accommodation aimed at meeting the future needs of older and disabled residents.

## **8.8 Policy LP3: Housing Density and Standards**

- 8.8.1 Gladman object to Policy LP3 in relation to the reference to national space standards. The Written Ministerial Statement (WMS) dated 25th March 2015 confirms that "the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG". Furthermore, with particular reference to the nationally described space standard, the NPPG (ID: 56-020-20150327) confirms "where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies". If the Council wishes to adopt this standard it should be justified by meeting the criteria set out in the NPPG including need, viability and impact on affordability. The Council therefore needs to provide sufficient evidence to justify adoption of either of these standards or delete reference to these standards in Policy LP3.

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## **8.9 Policy LP5: Affordable and Council Housing**

8.9.1 There is an inconsistency in the Local Plan between the level of affordable housing required as set out in paragraph 5.1.4 (30%) and that set out in Policy LP5 (25%). This needs to be rectified in order to ensure the policy position is clear.

## **8.10 Policy LP10: Care, Independent Assisted Living**

8.10.1 Gladman support Policy LP10 on Care and Independent Assisted Living and in particular, the support shown for the construction of high quality care and extra-care housing in sustainable locations.

8.10.2 Gladman also support the Council's approach to care homes located outside of Settlement Development Boundaries as set out in Policy LP10.

## **8.11 Policy PP12: Improving Education and Skills**

8.11.1 The requirement to provide educational facilities is a key part of the Framework. Paragraph 72 states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. This should involve working closely with developers over schemes to assess the best possible solution to educational provision taking account of the capacity of all schools in the area that serve the development, the distance pupils travel to access schools and the most efficient and sustainable use of existing educational resources before requiring the provision of new facilities. Viability should also be a key consideration to ensure schemes are not prevented from being brought forward because of the need for significant infrastructure contributions. Gladman remind the Council that the lack of educational provision should not be used a reason for refusal as local planning authorities should work positively with the development industry to identify suitable and deliverable solutions to these issues.

## **8.12 Policy PPL3: The Rural Landscape**

8.12.1 Policy PPL3 on the Rural Landscape is unsound. The guidance set out in the Framework advocates a balancing exercise of all of the benefits of a proposal against the harms to determine if the harms, significantly and demonstrably outweigh the benefits.

8.12.2 In addition, any policy for the protection and enhancement of the environment should be established in light of the national policies contained in the Framework, particularly paragraphs 109 to 125.

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- 8.12.3 Para 109 sets out that the planning system should contribute to and enhance valued landscapes with advice in Para 113 stating that Local Planning Authorities should set criteria based policies against which proposals for any development on or affecting such sites should be judged. In addition, Para 113 highlights that distinctions should be made between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status.
- 8.12.4 It is important to note that this advice does not suggest a ban on all development in or adjacent to designated areas and that the weight that can be attached to any conflict with such designations should be aligned with their importance based on the hierarchy detailed above.
- 8.12.5 Policy PPL3 as written is therefore contrary to the Framework and should be reviewed to reflect the guidance contained above. In particular, the policy should be flexible enough to be able to accommodate new development, outside of existing development boundaries, to allow the Council to quickly address any issues in a shortfall in housing land supply against the plan requirement.

### **8.13 Policy PPL6: Strategic Green Gaps**

- 8.13.1 In terms of the natural environment, the identification of any local environmental designations, including Strategic Green Gaps and separation policies, must be predicated on a robust and comprehensive evidence base that can be used in the planning balance advocated by the Framework, allowing the Council to assess whether the adverse impacts of the loss of such areas significantly and demonstrably outweigh the benefits of delivering the full need for housing.
- 8.13.2 Green Gap policies have been questioned by Inspectors in recent appeal decisions as to whether they are compliant with the Framework and the Presumption in Favour of Sustainable Development. It is unlikely that any Green Gap policy will meet the tests of the Framework. Inspectors have dismissed similar policies as being inconsistent with the Framework in the determination of a number of recent Appeals. Gladman do not support the Green Gap policy approach due to its inconsistency with the Framework as it may prevent the Council from granting planning permissions in sustainable locations to meet its full objectively assessed need. The Council should therefore not continue to promote this policy designation.
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## **8.14 Policy PPL8: Conservation Area**

- 8.14.1 Paragraphs 132 to 134 of the Framework relate specifically to designated heritage assets and highlight that the more important the asset the greater the weight that should be attached to it. The policies in the Local Plan therefore need to make such a distinction so as to ensure they are consistent with the Framework.
- 8.14.2 The Framework states that if the harm to a heritage asset is deemed to be substantial then the proposal needs to achieve substantial public benefits to outweigh that harm. If the harm is less than substantial, then the harm should be weighed against the public benefits of the proposal including securing its optimum viable use. The policies in the Local Plan should therefore make a distinction between the two tests included in the Framework for designated heritage assets to ensure they are sound.
- 8.14.3 Paragraph 135 of the Framework relates specifically to non-designated heritage assets and the policy test that should be applied in these cases is that a balanced judgment should be reached having regard to the scale of any harm and the significance of the heritage asset. Once again, policies in the Local Plan need to reflect this guidance.
- 8.14.4 In addition, in light of the judgement in FODC v. SSCLG and Gladman Developments Ltd. [2016] EWHC 421 Admin, Gladman consider it is necessary for the TDLP to carry out an assessment of the potential impact of proposed development on heritage assets, as set out in paragraph 129 of the Framework. The Judgement concerns the interaction between paragraph 14 and paragraph 134 of the Framework, and the issues of the balancing exercise to be undertaken to assess the harm of any proposals against the benefits of the identified proposed development in accordance with paragraphs 133, 134 and 135 of the Framework. Gladman consider that the implications of the Judgement apply equally to both the decision-making process and the plan making process. Paragraph 134 is clear in talking about 'development proposals', a phrase which can apply equally to planning applications and proposed allocations. Furthermore, footnote 29 of the Framework clearly states that "The principles and policies set out in this section apply to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-taking". It is therefore essential that the implications of the above Judgment are fully considered in the context of both decision-taking and plan-making.

## **8.15 Policy PPL9: Listed Building**

- 8.15.1 Gladman object to Policy PPL9 on the same basis as set out above in Section 8.14.
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**8.16 Policy CP2: Improving the Transport Network**

- 8.16.1 Gladman object to Policy CP2 in that it states that proposals which would have any adverse transport impacts will not be granted planning permission. This is completely contrary to the Framework.
- 8.16.2 Para 32 of the Framework states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. Policy CP2 should therefore be reworded to avoid it being unsound.

**8.17 Policy DI1: Infrastructure Delivery and Impact Mitigation**

- 8.17.1 Gladman object to Policy DI1 in that there is no definition within the Policy, nor supporting text, as to what the Council consider to be a minimum level of developer profit. This Policy is therefore unclear, not enforceable and the implications of the Policy cannot be properly tested. Reference to a minimum level of developer profit should therefore be removed from the Policy.
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## **9 SITE SUBMISSIONS**

### **9.1 Overview**

- 9.1.1 Gladman consider that there is an over reliance in the North Essex Part 1 Plan for Braintree, Colchester and Tendring on the strategic Garden Communities. These are all large-scale sites with significant requirements for infrastructure which will take a considerable amount of time to deliver. It is considered that the Councils' view that 2,500 units will be delivered on each of the Garden Communities by the end of the Plan period (2033) is ambitious and because of the reliance on the large-scale sites, there will be a shortfall of housing provision in the early years of the Plan.
- 9.1.2 Barton Willmore have also highlighted an issue with the OAN for Tendring suggesting that 550 dwellings per annum does not meet the full need for housing in the district and that, as a minimum, the Local Plan should be based on a minimum housing requirement of 674 dwellings per annum, with the need having the potential to be significantly higher than this figure.
- 9.1.3 There is also a need for the Local Plan for Tendring to be flexible to allow for changes in circumstances which include sites not coming forward as anticipated or delivering fewer units than expected. Typically, Inspectors are seeking an additional 20% above the housing requirement to ensure that the Local Plan meets or hopefully surpasses the housing requirement over the Plan period.
- 9.1.4 Therefore, in order to account for all of the above factors, it is considered that additional, small scale allocations should be made in the Tendring Local Plan to deliver housing in the short term, contributing to the Council's 5-year housing land supply and allowing small and medium sized housebuilders the opportunity to deliver sites in Tendring, thereby increasing delivery in the district.
- 9.1.5 Gladman are promoting a number of sites across the district which are located in sustainable settlements and are available, achievable and deliverable. The sites are listed below and are covered in more detail in the attached Development Briefs (Appendices 3, 4, 5 and 6). These sites should therefore be allocated in the Tendring Local Plan.
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## **9.2 Bromley Road, Parsons Heath**

- 9.2.1 Gladman is promoting land at Bromley Road, Parsons Heath for residential development (See Appendix 3). The 7.33-hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location.
- 9.2.2 The site is located on the eastern edge of Colchester and it is anticipated that around 4.2 hectares would be residential development, with the remainder comprising green infrastructure.
- 9.2.3 The land lies to the south of Bromley Road and comprises two fields. It is well enclosed by tree and hedgerow cover along its boundaries with Churn Wood, Bromley Road and Salary Brook, which is located directly to the west of the site. Its north-eastern boundary adjoins the grounds of Hill Farm and Crockleford Grange. The site is opposite existing residential development at Longridge. The site is also adjacent to the large town of Colchester and falls within a broad location proposed as a new garden community on the Colchester-Tendring border.
- 9.2.4 Parsons Heath is a vibrant area on the edge of Colchester which offers a range of amenities within walking and cycling distance of the site. These are located in three main clusters: on Bromley Road, on Harwich Road/Parsons Heath and in Greenstead district centre. These areas offer services and facilities including nursery schools, primary schools, a secondary school, a health centre, pharmacy, leisure centre, library and places of worship.
- 9.2.5 The site is capable of delivering up to 145 dwellings of varying sizes, types and tenures including affordable housing delivered in accordance with planning policy and is capable of coming forward within the next 5 years.
- 9.2.6 The site is not subject to any national, local or other landscape designations and landscape buffers could be provided to the north and east of the site, adjacent to Churn Wood and Salary Brook, which would be designated as a new waterside park. The site is well-contained adjacent to the existing urban context and a residential development and associated green infrastructure could be incorporated within the local landscape without resulting in any unacceptable landscape or visual effects.
- 9.2.7 Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tendring Local Plan.
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### **9.3 Grange Road, Lawford**

- 9.3.1 Gladman are promoting land at Grange Road to the south-west of Lawford for residential development (See Appendix 4). This 6.6-hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location.
- 9.3.2 It is currently envisaged that built development would only be situated in the southern part of the site in order to protect and enhance a Scheduled Monument in the northern portion. With this in mind the developable area is likely to be less than 6.6 hectares.
- 9.3.3 Lawford is a vibrant settlement which adjoins the built-up area of the town of Manningtree. The civil parish of Manningtree (which includes Lawford) is home to a population in the region of 5,700 people according to the 2011 Census.
- 9.3.4 Lawford is an active and successful community and provides residents with direct access to community facilities including:
- Lawford Church of England Primary School
  - Highfields County Primary School
  - The Lawford GP Surgery
- 9.3.5 Lawford is also accessible to facilities in Manningtree, such as:
- Manningtree High School
  - Manningtree Train Station
  - A range of retailers including convenience stores
  - Pharmacies
  - Public Houses
  - Post Office
- 9.3.6 Lawford (alongside Manningtree and Mistley) is identified within the emerging Local Plan as a suitable location to accommodate additional homes with an established town centre, employment areas and infrastructure. Gladman believe that Lawford is capable of supporting further growth beyond the minimum 1,500 to 2,500 dwellings proposed for this tier in the emerging Local Plan, so housing development need not be limited to this amount.
- 9.3.7 The site is capable of delivering up to 105 dwellings of varying sizes, types and tenures including affordable housing delivered in accordance with planning policy. The proposed development will follow a design-led approach, informed by consultation with the District Council, key stakeholders and the local community, responding sensitively to the site's
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setting and respecting the grain of the surrounding landscape, both built and undeveloped. The development will be a positive addition to Lawford, complementing the character of the surrounding area in terms of scale, density, character and quality.

9.3.8 Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tendring Local Plan.

## **9.4 Wick Lane, Ardleigh**

9.4.1 Gladman is promoting land at Wick Lane, Ardleigh for residential development (Appendix 5). The 7.58-hectare site presents an ideal opportunity to create a sustainable, high quality residential development situated in a sought-after location. It is anticipated that around 4.2 hectares would be residential development, with the remainder comprising green infrastructure.

9.4.2 The land lies to the north of Wick Lane, at its junction with the A137 (Colchester Road). The southern boundary of the site abuts 12 existing properties on Colchester Road. Immediately east of the site lies St Mary's Church of England Primary School and land used by the neighbouring industrial area for the storage and distribution of agricultural machinery. The village centre is also situated to the east, focused along The Street and Colchester Road. Open countryside under arable cultivation lies to the north and west of the site.

9.4.3 Ardleigh is an active and successful community and provides residents with direct access to community facilities including:

- St Mary's Primary School;
- General Stores and Post Office;
- Newstrend newsagents;
- Ardleigh Surgery
- Ardleigh Village Hall.

9.4.4 Ardleigh is identified in the adopted and emerging versions of the Tendring District Local Plan as a suitable location to accommodate additional homes.

9.4.5 The site is capable of delivering up to 118 dwellings including affordable housing delivered in accordance with the Council's requirements. The site is not subject to any national, local or other landscape designations and is well contained within the landscape. A landscape appraisal has confirmed that through sensitive landscaping, green infrastructure provision and good quality design, any impact of a development on the countryside and the character of Ardleigh could be minimised.

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9.4.6 A high-quality housing development would be a positive addition to Ardleigh, complementing the character of the surrounding area in terms of character and quality. Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tending Local Plan.

## **9.5 Land East of Oakwood Park, Holland Road, Clacton**

9.5.1 Gladman are promoting land to the East of Oakwood Park, Holland Road to the north-east of Clacton Town Centre for residential development (See Appendix 6). This 11.6 ha site is located within the Settlement Development Boundary of Clacton to the east of the proposed allocation SAMU3.

9.5.2 Clacton is a Strategic Urban Settlement at the top of the Council's Settlement Hierarchy where a considerable level of new housing growth will be directed and the Council have accepted that growth in this location is sustainable by allocating land at Oakwood Park in Policy SAMU3.

9.5.3 The site is capable of delivering up to 300 residential units with associated community benefits, open space and affordable housing delivered in accordance with the Council's requirements. The site is not subject to any national, local or other landscape designations and is well contained within the landscape and landscape features would be retained where possible.

9.5.4 A high-quality housing development would be a positive addition to Clacton, complementing the character of the surrounding area in terms of character and quality. Gladman consider the site is available, achievable and deliverable and should therefore be allocated in the Tending Local Plan

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## 10 CONCLUSIONS

### 10.1 Overview

- 10.1.1 Having considered the TDLP, Gladman are concerned about a range of matters including the housing and employment needs, delivery of the Garden Communities, spatial distribution and several of the detailed development management policies.
- 10.1.2 The plan must be positively prepared, effective, justified and consistent with national policy to be found sound at examination. In the first instance, the Council must start with clearly defining a NPPF and PPG compliant OAN by developing an unconstrained requirement which properly follows the guidelines set out at the national level. The Council should then develop a robust housing requirement using this OAN as a starting point.
- 10.1.3 Gladman commissioned Barton Willmore to undertake a review of the Objectively Assessed Housing Need (OAHN) undertaken by the Council in 2017. The review (attached as Appendix 2) concludes that an unjustified approach has been taken to the issue of Unattributable Population Change in Tendring, the OAHN makes no adjustment for suppressed household formation in Tendring, it does not provide a consistent approach to the economic aspects of housing need across the HMA and there is evidence to suggest that a greater than 15% uplift should be applied to the OAHN for Tendring to address worsening Market Signals.
- 10.1.4 In Barton Willmore's professional opinion, 550 dwellings per annum represents an under estimate of the level of housing need for Tendring and at the minimum, there is a need for **674 dwellings per annum** simply to meet the demographic need identified by DCLG in the household projections. Barton Willmore's overall conclusion is that the true level of housing need in Tendring is between 674 and 972 dwellings per annum.
- 10.1.5 Careful consideration needs to be given to the spatial strategy that forms the basis of the spatial distribution of growth across the district. All sustainable settlements should be allowed to play their part in meeting their own housing and employment needs as well as contributing to the wider district's requirements. A flexible approach to delivering the development needs of the district will ensure the plan's ultimate deliverability and success.
- 10.1.6 Whilst it is supported that the main urban areas continue to play a key role in the accommodation of future development within the district, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. Para 55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance rural vitality and viability.
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10.1.7 This is particularly the case given that with the complexities of delivering the Garden communities, it is considered that there is a significant shortfall of housing provision in the short to medium term which needs to be addressed through additional smaller scale housing allocations.

10.1.8 With this in mind, Gladman are promoting a number of sites in sustainable locations which are available, achievable and deliverable and should be included within the Tendring Local Plan as residential allocations. These include:

- a. Bromley Road, Parsons Heath.
  - b. Grange Road, Lawford.
  - c. Wick Lane, Ardleigh.
  - d. Land East of Oakwood Park, Holland Road, Clacton.
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**By email**

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let.008..ID.24540002

28 July 2017

Dear Sir or Madam

**TENDRING DISTRICT COUNCIL PUBLICATION DRAFT LOCAL PLAN  
CONSULTATION**

On behalf of our client, Sainsbury's Supermarkets Ltd, we submit representations in respect of the Tendring Publication Draft Local Plan consultation document.

Sainsbury's currently has three stores in the District at:

- St Johns Road, Clacton-on-Sea;
- The High Street, Clacton-on-Sea; and
- Connaught Avenue, Frinton.

Given their investment in the Borough, Sainsbury's has a keen interest in the Council's emerging planning policy and the implications of this for its existing estate and future aspirations.

Having reviewed the Publication Draft document, we have the following comments to make.

This policy sets out a range of impact thresholds for new retail development. For simplicity we suggest that a threshold of 750sqm is applied across the District.

We trust these representations will be taken into account in the next iteration of the Local Plan and would be grateful if you could keep us informed of the progress of the Plan.

Yours faithfully



Diogo Duraes

cc: Mr Adam Cundale, Sainsbury's Supermarkets Limited



**Jones Lang LaSalle Ltd**  
30 Warwick Street London W1B 5NH  
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jll.co.uk

Planning Policy Team  
Tendring District Council  
Thorpe Road  
Weeley  
Essex  
CO16 9 AJ

Your ref	Local Plan Publication
Our ref	1000315457
Direct line	0207 399 5485
Email	Ashley.collins@jll.com

28 July 2017

Dear Sir/Madam,

### **Tendring District – Local Plan Publication Draft June 2017**

We are writing to you on behalf of our clients, Orion Land and Leisure (herein referred to as 'Orion'), in order to formally present our views on the Local Plan Publication Draft that was published 16<sup>th</sup> June 2017 for public consultation. Our comments primarily relate to the site known as Stanton Euro Park and the proposed allocation SAE7 "Stanton Europark" and we will be providing additional comments on the wider Local Plan throughout the consultation process and Examination in Public.

Orion is committed to regenerating this important part of Harwich and is in a position to ensure that development is commenced at the earliest opportunity. Indeed, Orion have been working closely with planning officers at Tendring in order to develop the Masterplan of the site to ensure successful delivery. The future policy allocation has the potential to have a direct influence on Orion's aspirations and therefore we hereby submit our comments on the Local Plan Publication Draft document.

Given the strategic importance of Orion's landholding it is considered that these comments should be taken into full consideration and we welcome ongoing dialogue with the Council to ensure that this gateway site provides the most appropriate and deliverable form of development. Orion have submitted representations throughout the development plan process and many of these comments remain relevant, however, for clarity these are provided as appendices and are not repeated in the body of this letter.

### **Proposed Site Allocation**

In the first instance, Orion is pleased that the site has been identified as a strategic allocation with employment, retail and leisure identified as acceptable uses. This is broadly reflective of the Masterplan which is being developed and would be an appropriate land use allocation for the site. Indeed, it is our contention that the site is the most sustainable location for any retail and leisure expansion in Harwich given the fact that the location already forms part of the resident's shopping patterns and has tangible links to the town centre. This assertion is also supported by the Employment Land Review (2016) which concludes that the introduction of retail uses "could potentially overcome the viability constraints and also provision additional services to the Town which could help to attract further investment as well as enabling the remainder of the site to be brought forward for commercial development". The review concludes that employment uses should remain an option for the site but that retail and leisure development should be used to facilitate its delivery.



Whilst we are supportive of the allocation, we would suggest that the site is not identified as an “Employment Allocation” in Policy PP7 and consider it would be more appropriate to identify the site as a “Mixed Use Allocation” given that it is likely that the site will come forward with employment, retail and leisure uses.

The second main amendment we would suggest is that the allocation boundary should exclude the existing Gateway Retail Park and Morrison’s foodstore. Clearly these two areas are already developed and there is no opportunity that they will come forward for employment uses or leisure as defined within the policy wording. We would suggest therefore, that the site allocation only includes the brownfield land which is undeveloped and does not include the existing retail floorspace at Gateway Retail Park and Morrison’s as these are existing areas that do not require allocating within a Site Allocations Plan which should be reserved for new development.

The final amendment we would suggest is to part ‘b’ of the policy wording which currently states that *“the quantum of which will need to be determined in accordance with the most up-to-date retail needs analysis at the time of the determination of any planning application...”* Whilst we are supportive of the spirit of this wording, we would suggest that it is more appropriate to state that the quantum of floorspace will be assessed against the principle tests set within the NPPF of retail impact and sequential site assessment to demonstrate their acceptability. The advent of the NPPF removed the requirement to demonstrate need as it was deemed more relevant to understand the impact of a proposed development. It is considered that this nuanced amendment to the proposed wording protects the intention of the policy, whilst ensuring it is consistent with national policy and effective.

Orion is actively progressing with the Masterplan for the site and is completing the necessary technical work to underpin the future uses on the site. This technical work includes engagement with highways consultants, drainage technicians, a population and retail audit and commercial analysis of employment generating uses. As this deep level assessment work continues, Orion will provide further analysis of the Local Plan Publication Draft and provide comment where appropriate.

We trust that all our comments are clear and will be taken into consideration as part of the Local Plan process. However, if you require any further information, please do not hesitate to contact the undersigned on the details at the top of this letter.

Ashley Collins  
Director – Planning, Development and Heritage

**For and on behalf of JLL**

Cc: Richard Bowen – Orion Land and Leisure

Enc: Previous Consultation Responses on behalf of Orion



**Jones Lang LaSalle Ltd**  
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Planning Policy Team  
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CO16 9 AJ

Your ref	Local Plan Publication
Our ref	1000315457
Direct line	0207 399 5485
Email	Ashley.collins@jll.com

31 March 2017

Dear Sir/Madam,

### **Tendring District – Local Plan Publication Version**

We are writing to you on behalf of our clients, Orion Land and Leisure (herein referred to as 'Orion'), in order to formally present our views on the Local Plan Publication extract that has been provided with respect to the proposed site allocation at Stanton Euro Park. Orion is in the process of masterplanning the Stanton Euro-Park site which is a strategically significant brownfield site but has lain vacant for several years.

Orion is committed to regenerating this important part of Harwich and is in a position to ensure that development is commenced at the earliest opportunity. Indeed, this early commitment has been demonstrated through successfully gaining planning permission for 38 residential units at Williamsburg Avenue which is a site that has been beset with problems and false dawns and Orion is hopeful of a start on site in the immediate future.

Now that planning permission has been granted for Williamsburg Avenue, the focus will now lay directly onto Stanton Euro Park and the delivery of a mixed use scheme. Clearly, the future policy allocation has the potential to have a direct influence on Orion's aspirations and therefore we hereby submit our comments on the extract of the Local Plan Publication Document extract that has been provided. Given the strategic importance of Orion's landholding it is considered that these comments should be taken into full consideration and we welcome ongoing dialogue with the Council to ensure that this gateway site provides the most appropriate and deliverable form of development.

### **Site Location and Background**

Stanton Euro-Park (map enclosed) is located to the east of the Parkeston Bypass and adjacent to the Morrison's food store. The site is located in a predominantly commercial area which includes Gateway Retail Park, Home Bargains, Lidl food store and within close proximity to employment uses associated with Harwich Port.

Outline planning permission was granted for the comprehensive redevelopment of the site known as 'The Gateway' on 22 February 1993 (ref. 93/026), it is our understanding that this was in turn a renewal of a previous outline permission (ref: Ten 775/87) granted in February 1989 which was in turn a substitution of an earlier application in January 1987; although we have not seen records of these applications. The 1993 outline planning permission comprised redevelopment of the land for industrial / warehousing, retail units, a fast food unit, a petrol filling station, a hotel and residential uses including associated road networks, service yards and parking.



Individual elements of the original planning permission have been implemented including the retail park, food store and individual residential 'plots'. However, the 'industrial' element that was permitted for Stanton Euro-Park remains undelivered despite the outline permission being renewed on a number of occasions.

In October 2011, outline planning permission was granted (ref: 11/00638/OUT) for development of warehousing (B8) and general industrial (B2) together with ancillary offices. It is our understanding that this application was speculative in order to encourage interest in occupiers. Again, this planning permission has not been implemented and subsequent reserved matters have not been forthcoming.

The planning history of the site together with the on-site constraints such as the sewage pipe and high ground water table, demonstrate that the delivery of the site is a challenge. Careful consideration of the site allocation and the appropriate mixture of Uses is required.

### **Proposed Site Allocation**

The site is allocated as an "Employment" site and "Principal Business and Industrial Area" within the 2007 Local Plan and was historically allocated as "Industrial Use" within the Tendring Structure Plan. However, despite the planning framework and previous planning permissions for employment generating uses, the site has failed to deliver these uses for nearly 30 years.

The Tendring Employment Land Review (2016) recognised the historical allocation and also the significant on-site constraints which make "*wholesale speculative development unlikely*". Indeed, the review noted the competing supply of land and buildings in the surrounding area which have a "*competitive advantage*" in terms of availability and deliverability over Stanton Euro Park.

The conclusions drawn by the Employment Land Review state that the introduction of retail uses "*could potentially overcome the viability constraints and also provision additional services to the Town which could help to attract further investment as well as enabling the remainder of the site to be brought forward for commercial development*". The review concludes that employment uses should remain an option for the site but that retail and leisure development should be used to facilitate its delivery.

The Employment Land Review conclusions and recommendations are broadly consistent with Orion's aspirations for the site and it is clear that the requirement for employment uses is not sufficient to support the delivery of the site without a sufficient amount of retail floorspace to make the scheme viable.

In this respect, it is our contention that Stanton Euro-Park is the most sustainable location for any retail expansion in Harwich given the existing surrounding land uses and the fact that the location already forms part of the resident's shopping patterns and has tangible links to the town centre. Expansion in other locations would create a fracturing in the retail environment and will be more detrimental to the town centre by virtue of creating an out of centre retail destination.

In this respect, it is noted that the Retail Study 2016 identifies additional capacity for convenience goods provision in Harwich in the short term and also capacity for some growth in comparison goods retail. However, this capacity is predicated on the principle of constant market share and the Retail Study notes that the trade



retention in Harwich is very weak with centres such as Colchester dominating the shopping patterns of residents in the area. Indeed, the Study notes that there is a “*poor retention of comparison goods in Harwich and Tendring generally*”, this is seen as an opportunity by Orion and Stanton Euro Park is ideally placed to improve the comparison good offer to attract residents back into the area and stimulate further investment.

Given the qualitative need for additional retail floorspace and the opportunity to improve retail market share, we propose that the Stanton Euro-Park site is re-allocated for a mixture of employment generating uses, focussing on retail with supporting business, industrial and storage or distribution where a need can be identified. The retail uses will inherently provide local employment, but will also be the financial catalyst for delivering employment generating land uses for the remainder of the site; which to date has failed to be delivered despite numerous planning applications.

It is our contention that Stanton Euro-Park represents the most suitable, viable and sustainable location for employment land to be reallocated for retail used and in this respect should be prioritised for reallocation. We would also note that the site already benefits from excellent links to the strategic and local highway network and in this respect will not require any highway works or upgrades in order to make redevelopment deliverable.

The latest iteration of the Local Plan site allocation does go some way in achieving this mixed use allocation, however we would suggest that the balance of uses proposed is disproportionate to the identified quantitative and qualitative need and is also not deliverable in consideration of the market and on-site site constraints. In the first instance, the site areas quoted do not reflect the measured site areas, for instance, if the maximum quantum of floorspace is delivered, this equates to 28 hectares, whereas by our measurements the area only equates to 12 hectares.

We would also note that the site allocation includes the Morrison’s food store and Gateway Retail Park which totals 5.5 hectares which is nearly 50% of the allocation. Given the proposed allocations anticipates the predominant use to be employment, this would suggest that Stanton Euro Park is therefore expected to deliver only commercial uses. This allocation is in direct conflict with the evidence provided in the Employment Land Review which suggests that there is not sufficient demand to require this much land to be allocated and also identifies that Stanton Euro Park is unable to deliver that level of employment floorspace.

We would suggest that the site allocation only includes the brownfield land which is undeveloped and does not include the existing retail floorspace at Gateway Retail Park and Morrison’s as these are existing areas that do not require allocating within a Site Allocations Plan which should be reserved for new development.

In addition to this, we would suggest that the site area allocation should read as follows:

*“Policy XX: Stanton Europark*

*Stanton Europark, shown on the Proposals Map as two plots as part of site XX, is allocated for mixed use development as follows:*

- a. *Up to 6-8 hectares for retail use (A1);*
- b. *Up to 2 -4 hectares for commercial uses (B2/B8); or*



c. *Up to 1 hectares for leisure uses (D2)."*

It is considered that this mixture of retail and commercial uses is more realistic and more reflective of the evidence and recommendations contained within the Employment Land Review and the Retail Study. Indeed, Orion has already started Masterplanning the site and the above uses are reflective of the initial layout plans that have been shared with the Council and broadly supported. We welcome further workshops with the Local Authority in order to develop a suitable Masterplan for the site, however it is considered that the above quantum of floorspace for Stanton Euro Park are the most suitable and reflective of the evidence contained within the Employment Land Review and Retail Study which identify that the site is suitable for retail led redevelopment in order to support a limited amount of commercial uses.

We trust that all our comments are clear and will be taken into consideration as part of the Local Plan process. However, if you require any further information, please do not hesitate to contact the undersigned on the details at the top of this letter.

Kind regards

Ashley Collins  
Associate Director – Planning, Development and Heritage  
**For and on behalf of JLL**

Cc: *Richard Bowen – Orion Land and Leisure*

Tendring District Council  
FAO Planning Policy  
Council Offices  
Thorpe Road  
Weeley  
CO16 9AJ

**Date:** 28 July 2017

**Our ref:** 04051/14/NT/SFU/14455368v5

Dear Sir/Madam

## **Representations to Tendring District Local Plan, Publication Draft (Section 2)**

On behalf of our client, Bourne Leisure Ltd. ("Bourne Leisure"), please find enclosed representations to the Tendring District Local Plan – Publication Draft, published for comment until 28 July 2017. The representations relate to 'Section 2' of the Publication Draft Local Plan. Please find appended to this letter 'Part A' of the Council's Consultation response form (agent details). This letter comprises 'Part B'.

Bourne Leisure operates more than 50 holiday sites in the form of holiday parks, family entertainment resorts and hotels in Great Britain and is therefore a significant contributor to the national tourist economy, as well as local visitor economies. Within Tendring, Bourne Leisure operates the Orchards Holiday Park at St Osyth.

For Bourne Leisure to continue to attract customers and to respond to changing market conditions, the Company needs to invest regularly in order to provide new and improved facilities and accommodation. For many of the Company's holiday parks, improvements may necessitate the expansion of sites in order to improve the quality of accommodation, decrease densities, or increase the range of facilities in order to respond to visitor's requirements and to extend the holiday season.

### **Background**

Lichfields has previously submitted a number of responses to Tendring District Council (TDC) in relation to the emerging Local Plan on behalf of Bourne Leisure. Representations were first submitted to the Tendring District Local Plan Proposed Submission Draft in 2013 and subsequently to the Tendring District Local Plan: Pre-Submission Focused Changes in 2014 and the Tendring Issues and Options in October 2015.

Most recently, representations were submitted to the Tendring District Local Plan Preferred Options Consultation Document on 19 August 2016. The representations focused on ensuring the emerging Local Plan provided sufficient support for the expansion and improvement of existing holiday parks and not only support for new tourism developments. This is important given the significance of the tourism industry to the District (as recognised in the Local Plan). Bourne Leisure is disappointed to find that the Council has not agreed with the consultee responses putting forward changes to the emerging Local Plan. The response below reiterates these representations and, where indicated, provides new comments to revised policy wording in the Publication Draft.

## Response to Consultation

### Policy PP10 Camping and Touring Caravan Sites

Bourne Leisure supports policy PP10 and, in particular, bullet point 2 of the Policy which establishes support for “*extensions to existing camping and/or touring caravan/motorhome sites*”. This support will contribute to achieving a prosperous economy for the rural District (consistent with the National Planning Policy Framework [NPPF], para. 28). This policy establishes support in principle for the expansion of existing tourism developments and, therefore, provides a grounding for our key argument as established above and set out below.

### A Vision for Tendring District

Bourne Leisure fully supports the ‘Vision’ which recognises the significance of tourism in the District and, particularly, the role of Clacton on Sea as an important visitor destination. However, the Company considers that the Vision should be revised to acknowledge the principle of Policy PP 10 as referred to above. The Vision should recognise the need for development plan policy to be worded to support in principle proposals that would enhance existing tourism accommodation and facilities, and support the provision of new tourism accommodation and facilities. This revised approach, as shown below, would enable the Plan to contribute to meeting the requirement in national policy which states that local plans set out a clear, consistent strategy for development management (NPPF, para. 154):

*“Clacton will have still maintained its tourism roots, building a thriving local tourism industry **by having both enhanced its existing offer and provided new tourism accommodation and facilities** ~~but~~. As well as attracting holiday makers, the town will...”*

Bourne Leisure requests that the new policy statement at ‘outcome 11’ is re-phrased. As it is drafted, the statement goes beyond NPPF policy (para. 97), which only requires such commitment where it is feasible or viable. In order for the Local Plan to be consistent with national policy, as set out in paragraph 182, outcome 11 should be amended as follows:

***“Where appropriate All** new developments should account for, adapt to and mitigate against climate change.”*

### Objectives for the Plan

Bourne Leisure supports objective 10 as it has been written but considers that it should also be expanded to reflect the role of holiday parks in Tendring, as highlighted in the recommended addition to the Vision:

*“To work with partners to provide an enhanced environment for tourism and the maritime sector and its associated services ~~and~~. **This should include the enhancement and expansion of existing holiday parks**”*

### Prosperous Places

The Company welcomes the recognition at paragraph 6.6.1.1 (previously 6.70) of the economic contribution of tourism to the District’s economy as well as the ‘priorities’ of the Tourism Strategy included at paragraph 6.6.1.2 . Supporting the provision of a range of visitor accommodation at both new and existing sites in the District will be key to achieving these objectives. The approach throughout the local plan should be clear and consistent (NPPF para. 154); and therefore, whilst Bourne Leisure also supports the principles of paragraphs 6.6.1.3 and 6.6.1.4 (previously 6.72 and 6.73), the Company considers they should be re-worded as follows:

*“This Local Plan has an important role to play in facilitating the kinds of development that will contribute positively toward economic growth in the tourism sector, **including the provision of a range of tourism accommodation**”*

*“Another important aspect of promoting Tendring District’s tourism economy will be to ensure that the District offers a range of visitor accommodation in different locations that will appeal to different people’s tastes, budgets and interests. As the nature of tourism has changed so much over the years, Tendring District **must continue to support, while not only relying** purely on, the provision of traditional holiday accommodation provided at seaside holiday parks, hotels, guesthouses and bed & breakfasts....”*

## **Policy PP8 (Tourism)**

Bourne Leisure supports Policy PP8, in particular the final paragraph but suggests that, for clarity, these final two sentences are combined into one, as follows:

*“To maintain and deliver a range of accommodation that meets the varying needs, demands and expectations of potential visitors to the Tendring District, ~~P~~. **Proposals that involve the creation, improvement or potential loss of visitor accommodation will be assessed based on policies set out in this Local Plan**”*

## **Holiday Parks**

Bourne Leisure supports paragraph 6.7.1 (previously 6.76) which recognises the very important role of holiday parks in the District’s tourism economy and in promoting a diverse range of visitor accommodation. Paragraph 6.7.2 (previously 6.78) recognises the recent trends in visitor demand for improved standards and layouts at holiday parks. Bourne Leisure has experienced this demand and has responded by upgrading its sites and facilities. The Company therefore endorses paragraph 6.7.3 which supports proposals for extensions/improvements to existing holiday sites to improve the amenity and quality of the accommodation offer. Therefore, for consistency, the Company considers paragraph 6.7.4 (previously 6.79) should be reworded to recognise the continued potential for upgrading existing holiday parks:

*“The Council will however support proposals for new high quality holiday villages comprising well designed timber chalets set on plinths and with pitched roofs, located preferably in a predominantly wooded and undulating landscape setting with water features with high quality leisure facilities and activities. **There is also potential to upgrade existing holiday parks to improve their quality and their facilities, or provide similar, alternative accommodation typologies such as chalets or cabins.** ‘Centerparcs’ at Elveden Forest in Suffolk provides a good indication of the type of facility and the level of quality that the Council wants to establish in Tendring District.”*

The Company also endorses the notation of the Orchards Holiday Park as a ‘safeguarded holiday park’ on the Policies Map and similarly supports paragraph 6.7.3 (previously 6.78). However, the Company considers that paragraph 6.7.3 should also confirm, for the sake of clarity, that the expansion of Park sites such as the Orchards will be permitted within the Coastal Protection Zone, provided that such development accords with Policy PPL 2. We suggest that this could be worded as follows:

*“...the Council will support proposals for both safeguarded and any other existing holiday park sites to extend onto adjoining undeveloped land outside of any defined settlement development boundaries as long as it ensures that the overall layout, amenity, appearance and quality of accommodation will be improved for the entire site (both the existing site and the area proposed for expansion) as part of a comprehensive programme. **The expansion of sites will be permitted within the Coastal Protection Zone, provided that such development accords with Policy PPL 2**”*

## Policy PP 11 (Holiday Parks)

The Company strongly supports the (un-numbered) first and second bullet points of section 3 of the Policy as well as the final paragraph of PP 11 which refers to the requirement for occupancy conditions at holiday parks. However, the Policy should be amended for consistency with the NPPF (para. 204) which advises that planning conditions should only be imposed where they are relevant to the development being permitted. Bourne Leisure suggests the following is added to the end of paragraph 6.7.5 (previously 6.8) to ensure occupancy conditions are appropriate and only applied to planning permissions for development on a case by case basis:

*“... Where sites are located in an area vulnerable to flooding, the period of restricted occupancy will be expected to take place during the winter months when there is a greater likelihood of higher tides and severe weather. **The length of occupancy period set will take into account the site’s location, and the character and merits of the proposal such as the degree of flood risk, its relationship to an existing site (e.g. if it is a proposed extension), proposals for flood risk mitigation, design, the quality of accommodation provided and emergency planning...**”*

## Protected Places - Policy PPL 1 (Development and Flood Risk)

Bourne Leisure considers Policy PPL 1 should refer to the exception that is applied to existing tourism accommodation and holiday parks within flood risk areas. Only the extent of proposed new development itself, within or adjacent to the existing holiday park, and not the whole site, should have to be assessed sequentially.

## Policy PPL 3 (The Rural Landscape)

Whilst Bourne Leisure recognises the importance of minimising light pollution from development, national Planning Practice Guidance (PPG), ‘Light Pollution’ (March 2014) establishes that artificial light can be essential to a new development; it identifies:

*“The character of the area and the surrounding environment may affect what will be considered an appropriate level of lighting for a development”.*

Bourne Leisure therefore considers that the new statement at Policy PPL 3 should be re-phrased to ensure consistency with the PPG; requirements to minimise the impact of light pollution should be assessed on a case by case basis. The Company therefore recommends the statement is reworded as follows:

**‘Where appropriate** *New development within the rural landscape should minimise the impact of light pollution on the site and its surroundings, in order to protect rural amenity and biodiversity.*

## Policy PPL 4 (Biodiversity and Geodiversity)

The Company considers that the new statement at Policy PPL 4 should be re-phrased for consistency with national guidance. The PPG ‘Natural Environment’ (January 2016) states:

*“Local planning authorities should only require ecological surveys where clearly justified”.*

The requirement should be proportionate to the location, nature and scale of development proposed. The statement should therefore be reworded as follows:

**‘Where appropriate** *Proposals for new development should be supported by an appropriate ecological assessment.”*

**Summary**

We have set out above representations that focus on the importance of ensuring that the Tendring Local Plan supports the expansion and improvement of existing tourism facilities and accommodation, as well as new tourism developments. We consider it essential that TDC addresses the omissions identified; particularly given that the tourism industry is acknowledged in the Draft Plan as being significant to securing the economic future of the District.

We therefore trust these representations will be taken into account when finalising the policies and objectives of the District's Local Plan. Please do not hesitate to contact my colleague Sally Furminger or me should you require clarification of any of the points made.

Yours faithfully

**Margaret Baddeley**

Planning Director

Copy

Bourne Leisure

For internal Use only	ID:		Rep No:	

## Draft Local Plan

# RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
 Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Bourne Leisure Limited"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Ms"/>
First Name	<input type="text" value="Margaret"/>
Last Name	<input type="text" value="Baddeley"/>
Organisation	<input type="text" value="Lichfields"/>
Address Line 1	<input type="text" value="14 Regent's Wharf"/>
Address Line 2	<input type="text" value="All Saints Street"/>
Address Line 3	<input type="text" value="London"/>
Post Code	<input type="text" value="N1 9RL"/>
E-mail Address	<input type="text" value="margaret.baddeley@lichfields.uk"/>
Telephone Number	<input type="text" value="02078374477"/>

For internal Use only	ID:	Rep No:	

## Draft Local Plan

# RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
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## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

**Do you wish to participate at the oral part of the examination?**

Yes     No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes     No

**If yes which stage**

Issues and Options     Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

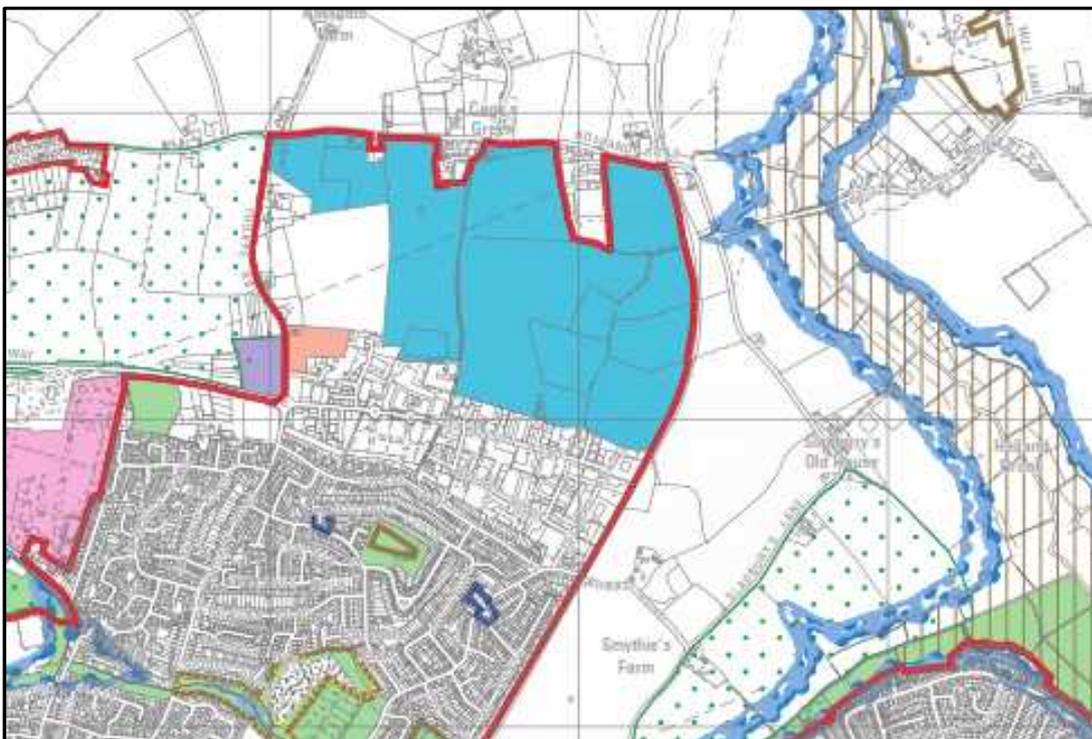
**(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)**

**Colchester: Return by 5pm 11th August 2017**

## Clacton Policies Map 2 and Local Map 11 Clacton Part B:

We write in support of the Council's Local Plan Preferred Options Consultation, with specific reference to Clacton and the Oakwood Park allocation, identified on Policies Map 2 (South East Tendring) and the Preferred Options Map 11 Clacton Part B.

Part of Policies Map 2 showing Oakwood Park allocation and new Settlement Development Boundary



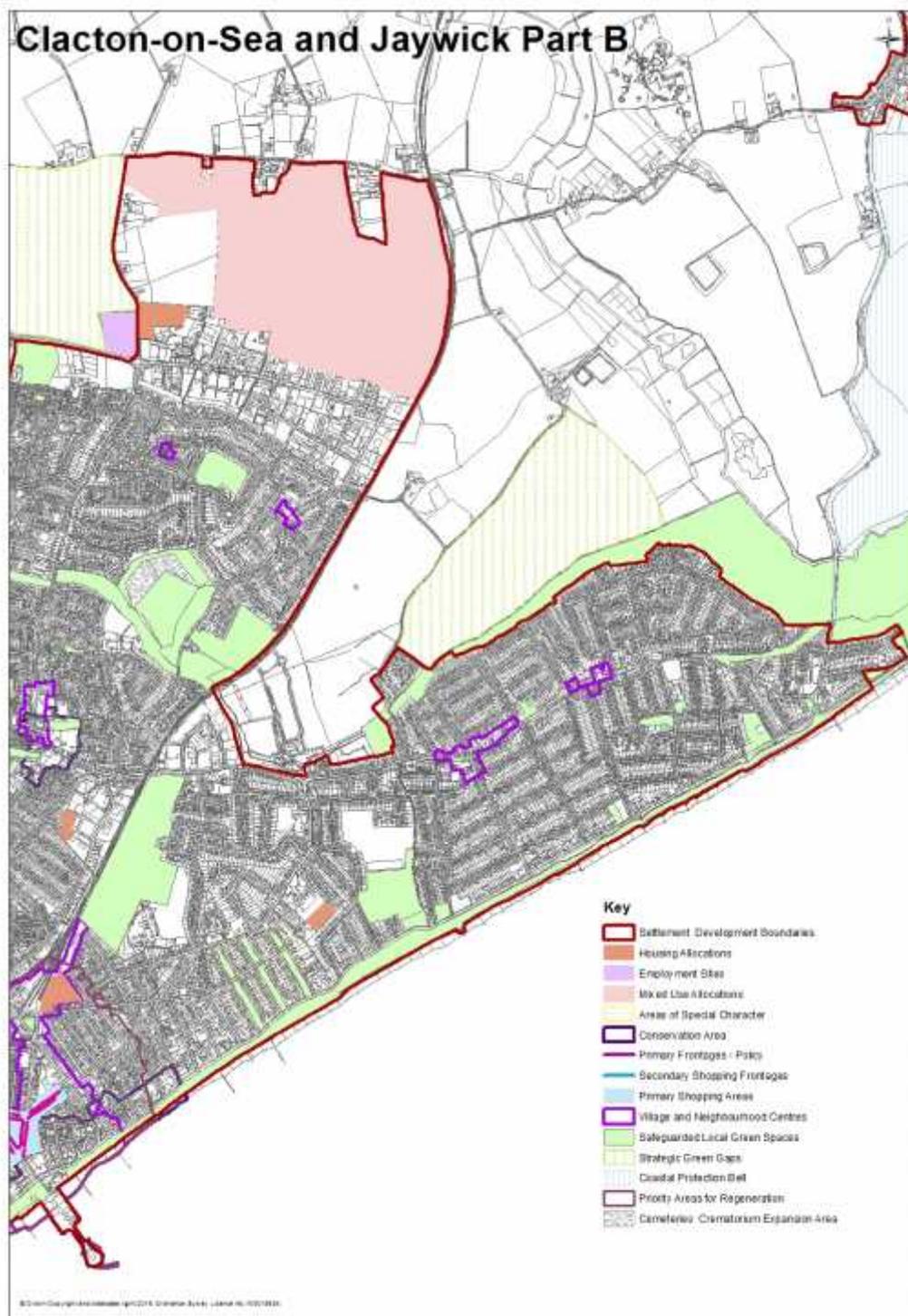
The site is a deliverable site that can provide a significant contribution towards the housing and employment needs for the District during the Plan period.

The site is well contained by the railway line and existing employment and retail space.

We support its inclusion in the Plan and confirm that the site is demonstrably sustainable in terms of its economic, social and environmental suitability.

To confirm, we support the Preferred Option Consultation with regards to its approach for a mixed use development to the northeast of Clacton, south of Holland Road.

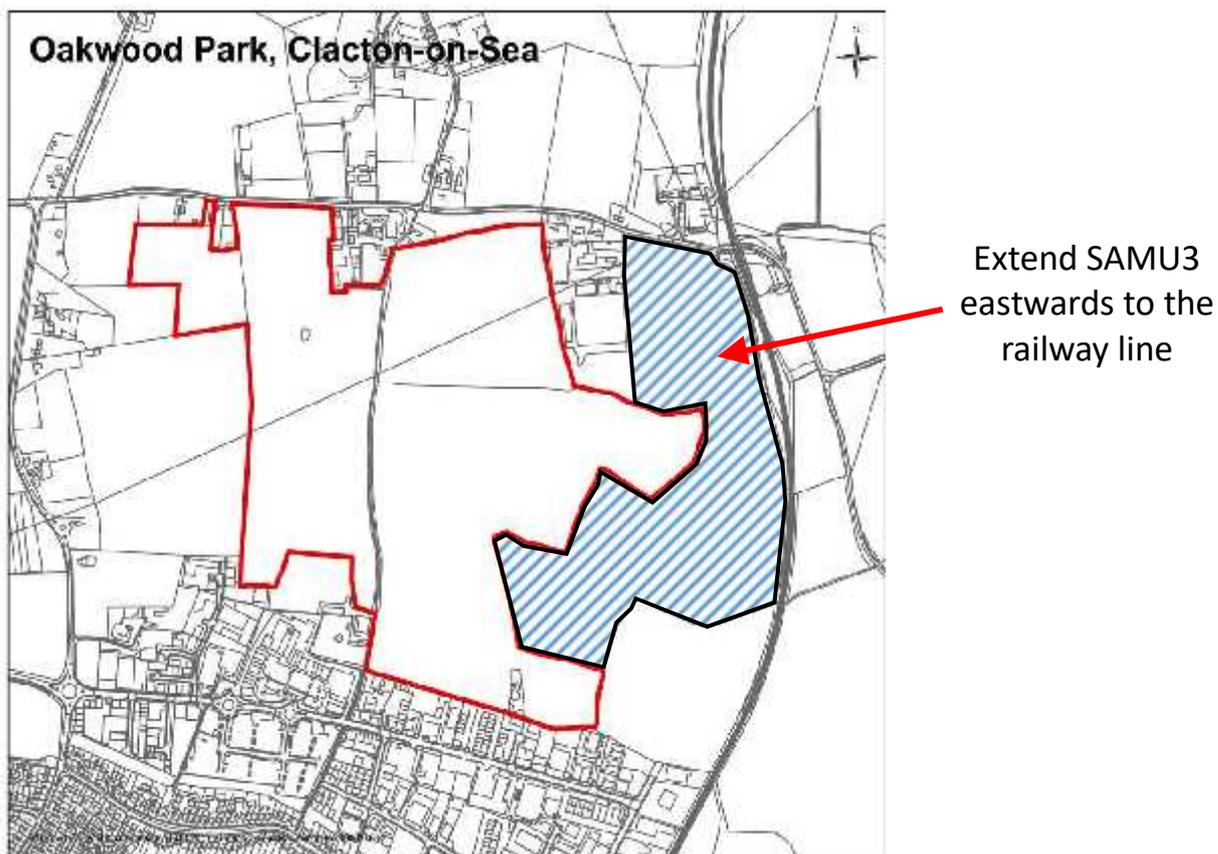
## Map 11 Clacton Part B



### Policy SAMU3 Oakwood Park:

We also largely support the Vision Document submitted by Scott Properties, which outlines their proposals and the opportunities for part of the site and designated Policy SAMU3.

We suggest however that the map for Policy SAMU3 Development at Oakwood Park Clacton is extended to match the Policy map shown above for continuity and to add weight to the overall sustainability and robustness of this allocation thereby optimising the deliverability and viability of the scheme and its master planning at an early stage.



# GUIDANCE NOTES

## & RESPONSE FORM

to accompany the Publication Draft Local Plan (2017)

**Please read these guidance notes before completing the response form**

### Introduction

Braintree District Council, Tendring District Council and Colchester Borough Council, have each published their own Publication Draft Local Plan for consultation. Section 1 is common to each plan. This response form can be used to respond to any part of the 3 Plans. It is important to specify which.

The 3 Plans have been published in order for representations to be made prior to submission of the documents to the Planning Inspectorate for examination. All representations will be examined by a Planning Inspector. The purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

**Each Local Plan has two parts:**

**Publication Draft Local Plan Section 1** - A set of strategic policies constructed in partnership between the three authorities and Essex

County Council. This means that the Section 1 policies are intended to apply across all three Local Authorities. These policies include those relating to Garden Communities, housing supply, employment, shopping and the environment. You can send your response to any one of the authorities as all responses to Section 1 will be collated. Only 1 response to the 3 authorities is required.

**Publication Draft Local Plan Section 2** - relates to the specific district, contains more detailed policies and is used to determine planning applications. If you wish to comment on the Braintree Publication Draft Local Plan Section 2 you should send your comments to Braintree District Council.

If you would like assistance in completing your representation or have any other questions about the Publication Draft Local Plan please contact the Planning Policy Team by email [planningpolicy@braintree.gov.uk](mailto:planningpolicy@braintree.gov.uk) or by phone on 01376 552525 and ask for Planning Policy.

## Part A - Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the Council's websites and included as part of the Publication Draft Local Plan submissions to the Inspector. Address and contact details will be removed from published responses. (Village/town shown).

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory.

Please supply an email address if you have one as it will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the plan. If you do not wish to be contacted in this way please state this clearly on the form.

If an agent or consultant has been engaged to act on your behalf please fill in both sets of details in full. Correspondence will be sent to the agent. If you are a landowner with an agent acting on your behalf, please ensure that your agent knows the site name and reference number which your site has been given.

## Part B - Representation

Please specify which section of the Publication Draft Local Plan your comments relate to, by choosing one of the following;

**Section 1** A response to this section will be reported to all 3 authorities.

**Section 2 Colchester**  
**Section 2 Tendring**  
**Section 2 Braintree** } These plans are specific to each authority.

Which part of the plan are you responding to (please use one form per submission):

**Paragraph:** for a representation on wording or paragraph content

**Policy:** for a representation on the wording or inclusion or omission of a policy

**Other:** for example a map inset number, site reference or the wording or content of tables or appendices

## Legal Compliance and Duty to Co-operate

If commenting on how the Publication Draft Local Plan has been prepared, it is likely that your comments will relate to a matter of legal compliance.

The Inspector will check that the Plan meets the legal requirements

You should consider the following before making a representation on legal compliance:

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.
- The process of community involvement for the Plan in question should be in general accordance with the Statement of Community Involvement (SCI).
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations; making them available on its website and at its principal offices. It must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA must provide a Sustainability Appraisal Report. This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.
- LPAs will be expected to provide evidence of how they have complied with the Duty to Co-operate.
- Non-compliance with the duty to cooperate cannot be rectified after the Plan's submission. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

## Soundness

Soundness is explained in National Planning Policy Framework (NPPF) paragraph 182. The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

More details and further guidance on what is meant by the term 'soundness' can be found below and at; [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Positively prepared

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

### Justified

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.

### Effective

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning and no regulatory or national planning barriers. It should be flexible to changing circumstances

### Consistent with national policy

The Plan should be consistent with national policy. Departure must be clearly justified.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered, how is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

Using the spaces provided please give details of why you think the Publication Draft Local Plan is not 'sound' having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. **If your representation is over 100 words please include a summary of its main points in the box provided.**

It will be helpful if you also say precisely **how** you think the Plan should be modified. Representations should cover succinctly all information, evidence and supporting information necessary to support/justify the representation and suggested modification, as there will not normally be a further opportunity to make submissions based on the original representation made at publication.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

All the formal representations received during this stage will be submitted to and considered by the appointed independent Planning Inspector at the public examination on the Plan. The process is likely to include public hearings. The Inspector will determine the most appropriate procedure to adopt to hear those who choose to participate at this stage. If you would like to appear and speak at the hearings, please state this and explain in the space provided why you consider it is necessary that you participate.

Representations can be sent:

- Via the Council's online consultation portal: [www.braintree.gov.uk/publicationdraftLP](http://www.braintree.gov.uk/publicationdraftLP)
- Via a representation form which can be downloaded from the website and returned via email to [localplan@braintree.gov.uk](mailto:localplan@braintree.gov.uk)
- or by post to:  
**Planning Policy,  
Braintree District Council  
Causeway House  
Braintree  
CM7 9HB**

For internal Use only	ID:	Rep No:	

# Draft Local Plan RESPONSE FORM

Responses are encouraged via the council’s online consultation system available on the website, see [www.braintree.gov.uk/newlp](http://www.braintree.gov.uk/newlp) However, this form can be returned electronically to **localplan@braintree.gov.uk** or in hard copy if necessary to:

Planning Policy, Braintree district Council, Causeway House, Bocking End, braintree, CM7 9HB  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title

First Name

Last Name

Organisation  
*(Where relevant)*

Address Line 1

Address Line 2

Address Line 3

Post Code

E-mail Address

Telephone Number

### 2. Agent’s Details (if applicable)

Title

First Name

Last Name

Organisation

Address Line 1

Address Line 2

Address Line 3

Post Code

E-mail Address

Telephone Number

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

**Do you wish to participate at the oral part of the examination?**

Yes     No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes     No

**If yes which stage**

Issues and Options     Preferred Options

**Do you wish to be notified?**

- When the document is submitted for independent examination?
- When the Inspectors Report is published?
- When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**  
(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**



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28<sup>th</sup> July 2017

Dear Sir/ Madam

**Response by Persimmon Homes to the Tendering Draft Local Plan**

Thank you for consulting Persimmon Homes on the Tendering Draft Local Plan. We support the Local Plan and want to continue to work with the Borough to deliver their housing targets.

**Shared Strategic Plan: North Essex Authorities Strategic Part 1 for Local Plans**

**Duty to Co-operate**

It is clear that Tendring, Braintree and Colchester have been working closely in the preparation of their Local Plans. The shared approach to meet housing need across the Housing Market Area (HMA) set out in 'Part 1' of each Local Plan shows a real commitment from to addressing the strategic and cross boundary issues facing the housing market area.

**1. Comment - Policy SP3 (Meeting Housing Needs) (p35)**

Persimmon Homes are a member of the House Builders Federation (HBF) and wish to refer you to their representations on the Draft Local Plan, partially with reference to their evidence on OAHN's and the Council's 5yr Housing Supply, we want you to consider those carefully before the next version of the Plan is produced with a view to ensuring that the plan going forward is sound.

We note and welcome Policy SP3 commitment for each authority to maintain a five year housing land supply. This is especially important given the significant uncertainties and technical challenges that remain regarding the delivery of the three garden communities and the undesirable socio-economic implications if delivery is delayed.

*'Each authority will maintain a sufficient supply of deliverable sites to provide for at least five years' worth of housing and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy and relevant policies in the plan'.*

The extract from draft Policy SP3 above does not mention that this should be judged against the housing requirement within the Local Plan or that there needs to be an appropriate buffer (i.e. 5% or 20%). The wording of SP3 should reflect para 47 of the NPPF and as such should be amended to read;

*'Each authority will maintain a sufficient supply of deliverable sites sufficient to provide for at least five years' worth of housing against their housing requirements with an additional buffer and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy and relevant policies in the plan'.*

Notwithstanding this, it is not clear from Policy SP3 as to what actions the Council will take in the event of a persistent under delivery against housing requirements within the plan. As detailed above, the garden community is very ambitious and there remains significant risk that the timescales for delivery will slip. In the event of persistent under delivery, the Local Plan should set out what actions they shall take. Actions could include a partial review of the plan and allocation of additional housing sites.

## **2. Objection - Policy SP5 Infrastructure and Connectivity (p44)**

Whilst it is agreed that development must be supported by the provision of infrastructure, services and facilities, a significant amount of the items identified rely upon third parties (including public and statutory bodies) or wider investment decisions (such as those made by Network Rail, Highways Agency, Broadband Providers). Policy SP5 should be amended to recognise the role the Council's have in terms of influencing, co-ordinating and delivering infrastructure and connectivity. Policy SP5 should also be amended to recognise the role that obligations through s106 or Cil should make in addressing infrastructure needs arising from the new development.

It is important that the totality of costs to be borne by the proposed level of development is adequately assessed. In light of Para 173 of the NPPF, *'the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'.*

## **3. Objection - Policy SP6 – Place Shaping Principles (p39)**

The NPPF (para 8) recognises that *'well-designed buildings and places can improve the lives of people and communities'*. The NPPF Core Planning Principles (para 17) is to *'always seek to secure high quality design'*. Para 57 refers to *'It is important to plan positively for the achievement of high quality and inclusive design for all development'*.

The draft Policy SP6 requires ‘All new development must meet the highest standards of urban and architectural design’. This requires every development to achieve the ‘highest standard’, which would require the achievement of a constant escalation of standards to be the ‘highest’. The ‘highest’ is a more onerous test than ‘high quality and inclusive design’ within the NPPF. It is considered that this constant escalation to achieve the ‘highest’ possible standard would be unduly onerous and could threaten development viability. In light of this, SP6 should be amended to read;

*‘All new development must be of a high standard of urban and architectural design.’*

It is considered that not all of the ‘principles’ stated would be applicable to every development. For instance;

- ‘Where possible, provide a mix of land uses, services and densities...’. It may be possible but not desirable to provide a mix of uses in a development.
- ‘Provide an integrated network of multi-functional public open space’ – a development may not be of a scale to achieve this or functionally require it in the event of existing adequate provision.

In light of the above, SP6 should be amended to read;

‘All new development should, where applicable, reflect the following principles;

#### **Garden communities**

#### **4. Support – SP7 (Development & Delivery of New Garden Communities in North Essex) (p50)**

In terms of SP7, Persimmon Homes supports the creation of three new garden communities.

Cross boundary new settlements will require significant degrees of co-operation and joint delivery arrangements. Whilst acknowledging the work done to date, there remains a significant risk that the scale and complexity of the planning and the delivery of the Garden Communities will delay their anticipated delivery. It will be important that the Council appropriately resources and facilitates the timely delivery of the Development Plan Document for the Garden Community.

#### **5. Objection 4;**

**Policy SP8 (Tendring/Colchester Borders Garden Community) (p53)**

**Policy SP 9 (Colchester/Braintree Borders Garden Community)(p56)**

**Policy SP 10 (West of Braintree Garden Community)(p60)**

Persimmon Homes support the creation of the Tendring / Colchester Garden Community.

Policy SP7 (v) has an absolute target of 30% affordable housing. However, **Policies SP8 Part B, SP9 and SP10** states ‘including a minimum of 30% affordable housing’. Persimmon Homes object to Policies SP8 Part B, SP9 and SP10 reference to the affordable housing target being a ‘minimum’. The Local Plan must set out clearly the target it is seeking to achieve and, in line with Para 173 of the NPPF, assess the implications for development viability having regard to the scale of obligations and policy burdens of the development plan as a whole.

It is considered that an uncapped target does not provide certainty and could place a policy burden that would threaten viability. The market and purchasing decisions factor in policy requirements and not having clarity would give rise to significant uncertainty that would not assist delivery.

## **Local Plan Part 2**

### **6. Support - Policy SPL1 (Managing Growth) (p91)**

Persimmon Homes supports the proposed settlement hierarchy and the inclusion of Clacton-on-Sea as a Strategic Urban Settlement.

### **7. Support – Policy SPL2 (Settlement Development Boundaries)(p92)**

Persimmon Homes are promoting the land at Rouses Farm, west of Jaywick Lane and south of St.John’s Road, Clacton-on-Sea for a mix of residential development, community facilities and public open space. The settlement boundary as detailed on Map SAMU4 (p200) and the SE Tendring inset map is supported.

### **8. Comment - Policy SPL3 Sustainable Design (p93)**

## **Part B: Practical Requirements**

**Sub-section (a)** – the policy refers to development ‘not lead to an unacceptable increase in congestion’. The Policy should refer to mitigation and the residual and cumulative impacts in line with NPPF Para 32 which states ‘improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’. It is therefore recommended that part B(a) be amended to read;

*a. access to the site is practicable and the highway network, **post mitigation**, will be able to safely accommodate the additional traffic the proposal will generate and not lead to **a severe residual cumulative impact on the highway network**;*

Sub-section (s) ‘the applicant/developer can demonstrate how the proposal will minimise the production of greenhouse gases and impact on climate change as per the current regulations and policies in this plan’;

It is not clear what regulations are referred to and as such this is too ambiguous.

Notwithstanding the above, it is not clear whether the reference to ‘current’ refers to regulations in force at the time of adoption of the plan and any subsequent regulations coming into force during the plan period.

In accordance with para 173 of the NPPF, ‘*Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened*’.

Given that the plan cannot assess the burden arising from (unspecified) regulations, it is considered that the plan should (a) specify the regulations to which it seeks adherence and (b) consider the implications of existing regulations.

In light of the above, Part B sub-section d should read;

*d. the applicant/developer can demonstrate how the proposal will minimise the production of greenhouse gases and impact on climate change as per the **Building Regulations prevailing at the time** and policies in this plan;*

The footnote to Part C of this policy will require housing developers to consider the use of renewable energy and the reduction of emissions. However, the Government have been clear through both the Written Ministerial Statement dated the 25th March 2015 and Planning Practice Guidance that it considers improvements in energy efficiency and carbon reduction will be achieved through Building Regulations with only a limited number of optional technical standards that can be required through a Local Plan where there is sufficient evidence to support their implementation. There is no need for the Council, through the Local Plan, to ask for consideration to be given to such measures. Such policies cannot be implemented or monitored and as such are ineffective and this element of the policy should be deleted.

#### **9. Support - Policy HP1 (Improving Health and Wellbeing) (p98)**

Persimmon Homes supports Policy HP1. We note that the policy seeks mitigation. Persimmon Homes are promoting the land at Rouses Farm, west of Jaywick Lane and south of St.John's Road, Clacton-on-Sea for a mix of residential development, community facilities and public open space. As part of this development, Persimmon Homes are proposing that the site accommodate a *local medical facility*. The exact disposition of the healthcare facility will be determined in consultation with the Council and the Clinical Commissioning Group as the planning process moves forwards. There is an opportunity for the health facility on this site to be of a scale to support the additional growth within this area and address the current shortfall in facilities (the area exceeds the recommended pupil to GP ratio).

#### **10. Support – Policy HP2 (Community Facilities) (p101)**

Persimmon Homes supports Policy HP2. We note that the policy seeks mitigation. Persimmon Homes are promoting the land at Rouses Farm, west of Jaywick Lane and south of St.John's Road, Clacton-on-Sea for a mix of residential development, community facilities and public open space. As part of this development, Persimmon Homes are proposing that the site accommodate community *facilities*.

#### **11. Comment – Policy HP5 (Open Space, Sports and Recreation Facilities)(p106)**

It is useful that the Policy quantifies the percentage of gross site area that should be open space.

It is considered that the threshold for the scale of 'open space' being no less than 0.15ha is not conducive to delivery or good site planning;

- (a) Major developments of less than 1.5ha would either not qualify to provide open space or would have to deliver a higher proportion of open space in order to meet the 0.15ha minimum, which may in turn threaten viability.
- (b) Under the Policy, a 'usable' open space would need to be 1500sq.m. The beyond six acre standards seek 100sq.m Local Areas of Play, 400sq.m for Local Equipped Areas of Play, 800sq.m for Neighbourhood Areas of Play. Therefore, if play space is provided within a development without the inclusion of a substantial proportion of associated open space, such play area(s) would count towards the 'usable' open space for the purposes of the policy. This is considered to be flawed as provision for children and young people should be encouraged and provided in accessible locations within a development.

It is recommended that the Policy is amended to state;

*Based on trends and the 2007 Adopted Local Plan, Policy COM6, 10% of the gross site area should be open space. On sites over 1.5ha development should ensure that areas of open space are usable and seek to include open space parcel(s) not less than 0.15 hectares.*

## **12. Comment - Part 5 Living Places (p114)**

Table LP2 'Local Plan Housing Allocations' details total housing numbers. In relation to Rouses Farm, the table states '850'. In the associated policy, this number is stated as a minimum. Persimmon Homes have undertaken public consultation, extensive technical studies and Master planning of the Rouses Farm site to support the emerging allocation. The Environmental Statement submitted to the Council alongside the proposals for Rouses Farm demonstrates that the site can satisfactorily accommodate 950 homes together with the associated education, health and community facilities. The quantum of development supports the total number of homes required within the plan. Furthermore, it would support ongoing delivery during the plan period, assisting the Council with maintaining a five year land supply and resisting development on sites not envisaged within the Development Plan. This should also be seen in light of the present uncertainty regarding when the garden communities will begin to make a meaningful contribution and the potential for slippage given the ambitious nature of the Garden Community.

## **13. Objection – Policy LP3 (Housing Density and Standards) (p120) & LP4 (Housing Layout)**

Policies L3 & LP4 seek to adopt the new 'National Technical Housing Standards' to all new development.

### National Context

In 2013, The Housing Standards Review (the Review) was launched which sought to simplify and rationalise the raft of housing standards which local authorities applied to development. At the heart of the Review was a desire to reduce developer costs and create attractive conditions to significantly boost housing delivery. The industry was heavily involved in the Review.

The outcome of the Review was the establishment via Building Regulations of mandatory baseline standards which apply nationwide to all developments. The Government also created a series of enhanced Optional Standards relating to access and water, along with a new optional national standard on internal space. All of these are implemented through planning but access and water are optional Building Regulations and Space Standards are planning only.

Initially the industry had concerns that the enhanced standards would be applied by Local Authorities as their starting point. Application of the enhanced standards has the potential to have significant implications in terms of product range, build cost, affordability and consumer choice, cumulative policy burden, viability and ultimately housing delivery.

In response, the Government confirmed that the enhanced standards were intended to be optional and that they would only be needed and viable in certain local circumstances. Otherwise, they would have been made mandatory in Building Regulations across the country.

The enhanced standards were introduced on a 'need to have' rather than on a 'nice to have' basis and policy safeguards were put in place.

The standards could only be introduced via a new Local Plan and to do so, clear evidence of need had to be demonstrated and impact upon viability had to be considered. It was recognised that EIP could be the only forum to properly debate whether development should be subject to such enhanced standards.

#### New Regime and Policy Context

The new regime was launched by a Ministerial Statement dated 25<sup>th</sup> March 2015 and the creation of a new section on optional technical standards in the National Planning Practice Guidance (NPPG). This was also underpinned by existing policy within the National Planning Policy Framework (NPPF).

Paragraphs 174 and 177 of the NPPF make it clear that via the Local Plan process LPAs should assess the cumulative impact of policy burden, including housing standards, to ensure that it does not put implementation of the plan at serious risk.

The new Ministerial Statement stated the following: *"The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance."*

Accompanying this, Paragraph 001 Reference ID:56-001-20150327 of the NPPG made it clear that LPAs will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans. Paragraph 002 Reference ID 56-002-20160519 of the NPPG confirms that LPAs should consider the impact of using these standards as part of their Local Plan viability assessment.

The new NPPG section provided substantial guidance in terms of the implementation of the new regime including specific advice on the individual standards which are discussed below.

As referred to above, via Policy LP3 and LP4, Tendring are seeking to apply the optional national space standard along with the optional accessibility and adaptability standards.

#### Nationally Described Space Standards (NDSS)

NPPG sets out clear criteria which Councils must satisfy in order to adopt optional NDSSs over and above the requirements of Building Regulations.

Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- *need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- *viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- *timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.*

The guidance effectively sets out three stages which must be overcome to ensure the NDSSs are only applied where needed and impacts are fully considered. We have considered Policy LP37 below with these policy hurdles firmly in mind.

- **NEED**

First and foremost a local authority must demonstrate clearly evidenced needs to require the NDSSs. The Council have not presented sufficient evidence to demonstrate need for the optional enhanced housing standard above what is established as nationally suitable in Building Regulations.

#### What is currently being built?

The point to note here is that all new housing clearly must comply with Building Regulations which allows flexibility in terms of footprint, room size, circulation space etc. This can be considered carefully by the housing market in determining product choice to meet the needs and demands of customers. This in turn allows for build refinement in relation to internal fit out. Finally this results in whole range of supply chain and construction efficiencies which are crucial to reducing cost, driving affordability and reducing build time to increase production. None of this appears to have been considered by the Council.

#### Current sales / Need for market intervention

The industry is firmly of the view that current sales rates confirm that current product range is fully suitable for those wanting to buy properties. The industry knows its customers and what they want. Sales rates in the district are strong.

When establishing need, we would expect Tendring to consider market indicators such as quality of life impacts or reduced sales rates with consumer information sighting the inadequacy of housing stock in the local area. This does not appear to have been provided to justify application of the enhanced standard and market intervention. The Inspector should not endorse the policy without this being demonstrated.

The Council must demonstrate why there is a need to impose the NDSS via Policy LP3 and LP4.

#### Existing Stock / Second Hand Market

Whilst not directly referenced in the NPPG, it is sensible to consider the existing stock. The borough has a wide range and choice of second hand properties, ranging from flats and terraced housing stock to larger suburban properties. New housing forms only a part of the overall housing market. Consumers can choose whether to buy new build or second hand. Those who want to buy properties of a larger size than the market is currently building can choose a different offer from the second hand market.

#### Meeting Needs and Impacts on Affordability

A key part of the national guidance is considering the affordability implications of adopting the enhanced national space standards. Delivering new housing to assist with affordability is an important consideration. It is clear from the emerging plan's evidence base that affordability in Braintree is already a key issue. Indeed, the affordability gap is such that there is a need to boost overall housing numbers to seek to combat this. To adopt the enhanced standards we would have expected a clear need to have been identified by the SHMA. However, this has not been the case and conversely the main issue has been the need to address affordability pressures.

The increase in size increases build cost. Increases in sales prices can have a very negative impact on the level of accessibility to market dwellings based upon mortgage rates.

Clearly inclusion of the NDSS would have an adverse impact upon affordability and would be contrary to the plan's own objectives. The implications of applying the NDSS is that it increases build cost, which in turn increases sales price and this undermines delivery of the plans objectives. We note that no assessment has been undertaken as to how many more families will be pushed into affordable need as they can no longer afford a NDSS compliant home.

#### Strategic Housing Market Area

Purchasers of new homes have a choice of where and what to buy. They make their choice based on a range of factors which includes what they can afford. Adoption of the standard will have an adverse impact on the affordability of new homes. Based on this impact, purchasers could choose or be forced to live elsewhere potentially having significant impacts on the assumptions and objectives of the plan.

## VIABILITY

Only once a clear need has been demonstrated should the local authority consider testing if the enhanced standards are viable, bearing in mind cumulative policy burden. It is not clear from the Councils evidence that it has suitably assessed the viability implications of applying the NDSS's alongside all other policy requirements of the plan. The 'Tendring Economic Viability Study, Three Dragons and Troy Planning + Design, July 2017' seeks to factor in NDSS. However, this assessment uses low Benchmark Land Values (p65) as detailed in the table below that are far too low and are not representative of the market. In light of this, it is considered that the 'Tendring Economic Viability Study' is not a sound assessment of the viability implications of applying NDSS.

Build out rate approximately 50 dwelling per annum per outlet.  
Benchmark Land Values - £ per gross ha

<b>Tendring</b>	<b>Small - Medium sites</b>	<b>Intermediate site</b>	<b>Large strategic site</b>
Eastern - Low Value area	£0.4m	£0.35m	£0.25m
Manningtree & Rural North - Mid value area	£0.7m	£0.57m	£0.44m
Frinton Cluster - High value area	£0.95m	£0.7m	£0.44m

### Efficient use of Land

The Council should be ensuring that new development maximises the efficient use of land.

### Implications on Affordability

Sales price increases would have a significant impact on affordability in an area where the gap is widening. Applying the NDSSs will increase the price of a starter home making it markedly harder for people to get on the housing ladder.

### Viability of Sites

Adoption of the NDSS on 100% of housing will have a significant impact on the viability of sites. It is also not a case of simply increasing build cost - increased housing sizes will result in less efficient use of land and thus a relative increase in infrastructure burden per plot.

### Implications for Brown Field sites

The space standard will have a disproportionate effect on sites in lower value areas and those which are brown field. These sites often have remediation costs associated with them + current use value which further compound issues with achieving minimum benchmark land values.

## TIMING

Based on the above, Persimmon Homes is expecting that the NDSS requirement will be dropped from Policy LP3 and LP4 however in the event that it is retained, transitional arrangements must be suitably addressed as required by NPPG. A transitional period would allow developers to factor in the additional cost associated with this policy into future land deals.

The land deals which underpin the majority of identified sites for this plan period will have already been secured and as such the proposed transitional arrangements will not provide adequate time for the cost to be factored in to the contracts for those sites. Nevertheless, if Tendring is minded to retain the NDSS requirement then we recommend a transitional arrangement of a minimum of 3 years to allow those sites to move through the planning system before the requirements are enforced. Therefore NDSS would apply to site to which permission is granted after 2020.

Clarity should be included within the policy to ensure that NDSSs cannot be applied to any approval (outline or detailed) prior to the specified date and that where development is approved prior to this date all housing built pursuant to the approval under Reserved Matters applications will not be subject to the increased space standard. It also needs to be made clear that the cut-off date is based upon the time at which planning approval is secured, not when development commences as the implications of enhanced standards cannot be factored in so late in the development process.

Taking the above into account and the consequential effect of the transitional policy, the removal of the NDSS requirement altogether would appear much more logical thus providing clarity for all.

#### Housing White Paper – ‘Fixing our broken housing market’

In the recently Housing White Paper the Government have confirmed their view that the fundamentals of the Building Regulations system remain sound and that important steps were taken in the last Parliament.

*In relation to Space Standards, paragraph 1.55 states that “the use of minimum space standards for new development is seen as an important tool in delivering quality family homes. However the Government is concerned that a one size fits all approach may not reflect the needs and aspirations of a wider range of households. For example, despite being highly desirable, many traditional news houses could not be built under today’s standards. We also want to make sure the standards do not rule out new approaches to meeting demand, building on the high quality compact living model of developers such as Pocket Homes. The Government will review the Nationally Described Space Standard to ensure greater local housing choice, while ensuring we avoid a race to the bottom in the size of homes on offer.”*

The above confirms the Government’s intentions to review NDSSs. This does not have any immediate impact upon Tendring’s emerging plan. However, it does demonstrate the Government’s unease with a one size fits all approach and its desire to ensure greater local housing choice. Unfortunately, introduction of the NDSSs would narrow the choice available at the expense of affordability and viability.

#### **14. Comment - Policy LP4 (Housing Layout)**

Persimmon supports the desire to create a sense of place. There seems to be a conflict between criteria (e) and (f) when it comes to the approach to density.

#### **15. Comment - Policy LP5 (Affordable and Council Housing)**

The draft version of the Plan considered by the Local Plan Committee on Monday 12<sup>th</sup> June 2017 is set out in the Committee Papers. The version of the Local Plan considered by Members specified a target of 25% affordable housing under Policy LP5 and clearly 'struck through' the reference to 30%. The report on item 7 'publication draft local plan' makes no reference to affordable housing. The minute of the meeting does not detail any amendment to the plan in relation to the percentage of affordable housing.

The report to the 15<sup>th</sup> June Council meeting to endorse the plan makes no reference to an amendment to the plan in relation to the percentage of affordable housing. The draft local plan appended as 'A1 – Appendix A' also specifies a target of 25% affordable housing. The draft minute of the meeting does not detail any amendment to the plan in relation to the percentage of affordable housing. Members endorsed the publication of the consultation draft which includes a target of 25% affordable housing. Notwithstanding this, the published consultation draft includes a target of 30%.

In light of the above, the draft plan produced by Officers and considered by Members and to which they endorsed for consultation purposes includes a target of 25% affordable housing. The plan was drafted having regard to the evidence base. It is unclear why the consultation draft includes a higher percentage of affordable housing than endorsed by Members. It is important that the totality and scale of obligations and policy requirements within the plan does not threaten development viability. The 'Tendring Economic Viability Study, Three Dragons and Troy Planning + Design, July 2017' seeks to factor in affordable housing. However, this assessment uses very low Benchmark Land Values (p65) that are far too low and are not representative of the market. In light of this, it is considered that the 'Tendring Economic Viability Study' is not a sound assessment of the viability implications of applying a requirement of 30% affordable housing alongside all the other requirements.

There is a need to increase housing delivery within the Country as a whole and within the District. It is considered that this would be hampered if the Policy burdens placed upon developers are too great. It is considered that the Member endorsed 25% requirement would be more representative of what developments can viably achieve.

The forward to the Policy should make clear what is meant by 'Council Housing' and the mechanism by which such properties are transferred to the Council.

Para 5.5.1 implies that there is limited control upon occupations of Affordable Housing provided by Registered Providers. Registered Providers of social housing have a mandatory statutory and regulatory obligation to assist local authorities in the discharge of their duties under Part VII of the Housing Act 1996. Furthermore, many authorities when grant planning permission include within the associated legal agreement (s106) a requirement for the Registered Provider to enter into a Nominations Agreement with the Council. A Nominations Agreement is a contract under which Councils can place those in housing need into housing association homes as they become available. In areas where affordable housing is in short supply Councils usually seek the right to nominate all

new housing association tenants. Therefore, there is a mechanism so Tendring can ensure that new affordable housing provided by a Registered Provider can be prioritised to those who qualify and are in the greatest need based upon their own housing register.

The draft Policy seeks either (i) 30% of new dwellings as affordable housing or as an alternative (ii) 10% as Council Housing plus a commuted sum. The Policy by virtue of the different percentages sought seeks to recognise the significant increase in costs to the developer associated with providing 'Council Housing'.

The second paragraph should make it clear that the 30% referred to relates to Affordable Housing and not a (unspecified) proportion of affordable housing and a (unspecified) proportion of 'Council Housing'. The proposed change is detailed below;

*'For development proposals outside of the Tendring Colchester Borders Garden Community, involving the creation of 11 or more (net) homes, the Council will expect 30% of new dwellings, (including conversions) to be made available to Tendring District Council (subject to viability testing) or its nominated partner(s) to acquire at a proportionate discounted value for use as affordable ~~or council~~ housing.*

*As an alternative, the Council will accept a minimum 10% of new dwellings, (including conversions) to be made available to Tendring District Council or its nominated partner(s) to acquire at a proportionate discounted value for use as council housing alongside a financial contribution towards the construction or acquisition of property for use as council housing equivalent to delivering the remainder of the 30% requirement'.*

Paragraph 5 states that the 'size and type of council housing will be specified by the Council on a case-by-case basis having regard to the latest housing needs register and will be the subject of negotiation between the Council and the developer or applicant'. It is not clear as worded whether this statement also refers to 'Affordable Housing'.

Notwithstanding the above, Para 5 purely refers to the Housing Needs Register. The Strategic Housing Market Assessment (Jan 2016) includes an assessment of 'additional units required to meet housing need in Tendring' and 'Size and type of affordable home required by those in need (per annum) in Tendring' (see Tables 5.13d AND 5.14d, p145, SHMA 2016). The Council has therefore assessed the need for the size and type of affordable homes required over the plan period. It is considered that in assessing the housing need purely on the Housing Needs Register would not be fully representative of need, particularly the need for intermediate housing products.

The Economic Viability Study (2017) makes an assumption regarding the split between Affordable Rented Units and Intermediate Tenures (para 2.25). The assessment recognises that there may be scenarios whereby the tenure mix needs to be flexed to have regard to development viability.

The size of units will also be informed by the nature of the scheme. For instance, a scheme of predominantly apartments may struggle to include four bedroom houses and this should be recognised.

In light of the above, it is considered that the size and tenure should be determined having regard to the most robust available data including the most recent SHMA, the Housing Needs Register, development viability and the nature of the development. In light of the above, paragraph 5 should be amended to read;

*The size and type of Affordable and / or Council Housing within a qualifying development shall be assessed on a case-by-case basis having regard to the most recent Strategic Housing Market Assessment, latest housing needs register, development viability and the nature of the scheme and will be the subject of negotiation between the Council and the developer or applicant.*

#### **16. Support - Policy PP3 (Village and Neighbourhood Centres) (p143)**

The policy encourages small-scale retail development to serve day-to-day needs. The Policy identifies a proposed neighbourhood centre at 'Rouses Farm Garden Suburb'. Persimmon Homes supports Policy PP2. Persimmon Homes are promoting the land at Rouses Farm, west of Jaywick Lane and south of St.John's Road, Clacton-on-Sea for a mix of residential development, community facilities and public open space. As part of this development, Persimmon Homes are proposing that the site accommodate a neighborhood centre which would include provision for a *medical facility and retail opportunity*. The scale of the facility seeks to meet local day-to-day needs and not exceed to the 'local impact threshold in PP4' and as such would not threaten the viability or vitality of existing centres.

#### **17. Support - Policy PP12 (Improving Education and Skills)**

Persimmon Homes support the need to mitigate the impact of development on education. Persimmon Homes are promoting the land at Rouses Farm, west of Jaywick Lane and south of St.John's Road, Clacton-on-Sea for a mix of residential development, community facilities and public open space. As part of this development, the Masterplan includes provision for a new Primary School and early years facility.

#### **18. Support – Policy SAMU4 (Development at Rouses Farm, Jaywick Lane, Clacton)**

Persimmon Homes supports Policy SAMU4. Persimmon Homes are promoting the land at Rouses Farm, west of Jaywick Lane and south of St.John's Road, Clacton-on-Sea for a mix of residential development, community facilities and public open space. As part of this process, Persimmon Homes have engaged with the local community and other stakeholders to seek their views as evidenced in the Statement of Community Involvement submitted to Tendring Council (July 2017).

As part of the Preferred Options Consultation, Persimmon Homes submitted a 'Site Deliverability Statement, September 2016). This sets the site and policy context. As set out in the Deliverability Statement, Persimmon Homes commissioned a specialist consultant team to produce various technical assessments as part of an Environmental Statement. The findings of this technical work had informed the Deliverability Statement and the associated Masterplan.

Since the production of the Site Deliverability Statement, the technical assessments and associated Masterplan work and pre-application engagement has continued. Persimmon Homes have formally advanced proposals for the development of the site for up to 950 residential units (including affordable housing) with a new neighborhood centre comprising a local healthcare facility of up to 1,500 sq.m and up to 700sq.m for shops, food and drink and community centre. In addition, the proposal includes a 2.1ha site for a new primary school and associated roads, open space, drainage landscaping and other associated infrastructure.

The proposal includes a Masterplan and a series of Parameter Plans which detail how the proposed development can be satisfactorily provided on-site and create an attractive community. The planning application was submitted in July 2017 and is supported by an Environmental Statement which is underpinned by the detailed technical studies undertaken.

The development would make a substantial contribution towards the delivery of both market and affordable housing, including provision for bungalows. It supports the plan and assist the Council maintain an adequate supply of housing land during the initial part of the plan period.

The site forms a sustainable extension to Clacton, with the ability to meet infrastructure thresholds for education and healthcare provision. The allocation supports the Council's spatial strategy in focusing a proportionate amount of growth to existing settlements to meet housing need and to support employment opportunities.

In terms of part (a) of the Policy, this seeks at least 850 new homes including affordable housing. This is supported. As detailed above, the Master planning and technical assessments demonstrate that the site and associated infrastructure can successfully accommodate a mixed use development including 950 homes.

In terms of part (b) and (k) of the Policy, this seeks a new primary school on-site. As detailed above, the Masterplanning and technical evidence demonstrates that this can be accommodated and successfully integrated into the new neighborhood.

In terms of part (c) and (d), Persimmon support the delivery of a new neighborhood centre and healthcare facilities on this site. Persimmon Homes have had ongoing discussions with NHS England with regards the type of facility to meet the needs within the area and this has informed the proposals for this site.

In terms of part (e), (f) and (g), Persimmon Homes have engaged throughout the plan making process and have evolved a Masterplan having regard to the Council's objectives for this site, community consultation and various detailed technical assessments. The Masterplan would deliver the objectives of SAMU4, including the quantum of open space sought and the access arrangements as specified.

In terms of parts (i), (j), (m), Persimmon Homes consider that these are sensible stipulations to which the proposed Masterplan has had regard.

## **19. Policy CP3 Improving the telecommunications network (p188)**

Whilst paragraphs 43 to 46 of the NPPF establishes that local planning authorities should seek support the expansion of electronic communications networks it does not seek to prevent development that does not have access to such networks. By stating all, new dwellings must be served by super-fast broadband potentially allows the Council to refuse a development without such provision or impose a Grampian condition preventing a development from being occupied until such networks are provided. The provision of super-fast broadband is not in the control of the developer who requires a third party provider for such infrastructure. It is also the case that the house building industry is fully aware of the benefits of having their homes connected to super-fast broadband and what their customers will demand.

We are also concerned that no additional costs have been included in the viability study for such provision. The study sets out in appendix 2 that these costs are incorporated into standard assumptions on development costs. However, we consider it essential that this policy is properly costed within the viability study. In particular the cost of such a policy on smaller developments in more rural communities could be significant and should be considered separately. Without this additional evidence there is clearly no justification to support this policy. In seeking to extend broadband to homes the Council should work proactively with telecommunications providers to extend provision and not rely on the development industry to provide for such infrastructure.

The fourth bullet point following part d) of this policy should therefore be deleted.

#### **Conclusion**

Persimmon Homes welcomes the opportunity to comment. We support the Council's ongoing Plan making process and the broad thrust of the Local Plan. We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination.

Yours sincerely



**Planning Manager,  
Persimmon Homes Essex**

# GUIDANCE NOTES

## & RESPONSE FORM

to accompany the Publication Draft Local Plan (2017)

**Please read these guidance notes before completing the response form**

### Introduction

Braintree District Council, Tendring District Council and Colchester Borough Council, have each published their own Publication Draft Local Plan for consultation. Section 1 is common to each plan. This response form can be used to respond to any part of the 3 Plans. It is important to specify which.

The 3 Plans have been published in order for representations to be made prior to submission of the documents to the Planning Inspectorate for examination. All representations will be examined by a Planning Inspector. The purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

**Each Local Plan has two parts:**

**Publication Draft Local Plan Section 1** - A set of strategic policies constructed in partnership between the three authorities and Essex

County Council. This means that the Section 1 policies are intended to apply across all three Local Authorities. These policies include those relating to Garden Communities, housing supply, employment, shopping and the environment. You can send your response to any one of the authorities as all responses to Section 1 will be collated. Only 1 response to the 3 authorities is required.

**Publication Draft Local Plan Section 2** - relates to the specific district, contains more detailed policies and is used to determine planning applications. If you wish to comment on the Tendring Publication Draft Local Plan Section 2 you should send your comments to Tendring District Council.

If you would like assistance in completing your representation or have any other questions about the Publication Draft Local Plan please contact the Planning Policy Team by email [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or by phone on 01255686177 and ask for Planning Policy.

**Tendring**  
District Council



**Local Plan**  
COLCHESTER BOROUGH



## Part A - Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the Council's websites and included as part of the Publication Draft Local Plan submissions to the Inspector. Address and contact details will be removed from published responses. (Village/town shown).

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory.

Please supply an email address if you have one as it will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the plan. If you do not wish to be contacted in this way please state this clearly on the form.

If an agent or consultant has been engaged to act on your behalf please fill in both sets of details in full. Correspondence will be sent to the agent. If you are a landowner with an agent acting on your behalf, please ensure that your agent knows the site name and reference number which your site has been given.

## Part B - Representation

Please specify which section of the Publication Draft Local Plan your comments relate to, by choosing one of the following;

**Section 1** A response to this section will be reported to all 3 authorities.

**Section 2 Colchester**  
**Section 2 Tendring**  
**Section 2 Braintree** } These plans are specific to each authority.

Which part of the plan are you responding to (please use one form per submission):

**Paragraph:** for a representation on wording or paragraph content

**Policy:** for a representation on the wording or inclusion or omission of a policy

**Other:** for example a map inset number, site reference or the wording or content of tables or appendices

## Legal Compliance and Duty to Co-operate

If commenting on how the Publication Draft Local Plan has been prepared, it is likely that your comments will relate to a matter of legal compliance.

The Inspector will check that the Plan meets the legal requirements

You should consider the following before making a representation on legal compliance:

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.
- The process of community involvement for the Plan in question should be in general accordance with the Statement of Community Involvement (SCI).
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations; making them available on its website and at its principal offices. It must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA must provide a Sustainability Appraisal Report. This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.
- LPAs will be expected to provide evidence of how they have complied with the Duty to Co-operate.
- Non-compliance with the duty to cooperate cannot be rectified after the Plan's submission. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

## Soundness

Soundness is explained in National Planning Policy Framework (NPPF) paragraph 182. The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

More details and further guidance on what is meant by the term 'soundness' can be found below and at; [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Positively prepared

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

### Justified

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.

### Effective

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning and no regulatory or national planning barriers. It should be flexible to changing circumstances

### Consistent with national policy

The Plan should be consistent with national policy. Departure must be clearly justified.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered, how is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

Using the spaces provided please give details of why you think the Publication Draft Local Plan is not 'sound having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. **If your representation is over 100 words please include a summary of its main points in the box provided.**

It will be helpful if you also say precisely **how** you think the Plan should be modified. Representations should cover succinctly all information, evidence and supporting information necessary to support/justify the representation and suggested modification, as there will not normally be a further opportunity to make submissions based on the original representation made at publication.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

All the formal representations received during this stage will be submitted to and considered by the appointed independent Planning Inspector at the public examination on the Plan. The process is likely to include public hearings. The Inspector will determine the most appropriate procedure to adopt to hear those who choose to participate at this stage. If you would like to appear and speak at the hearings, please state this and explain in the space provided why you consider it is necessary that you participate.

Representations can be sent:

- Via the Council's online consultation portal: <http://tendring-consult.objective.co.uk/portal>
- Via a representation form which can be downloaded from the website and returned via email to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)
- or by post to:  
**Planning Policy,  
Tendring District Council  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ**

For internal Use only	ID:	Rep No:	

## Draft Local Plan

# RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

**Do you wish to participate at the oral part of the examination?**

Yes     No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes     No

**If yes which stage**

Issues and Options     Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

**(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)**

**Colchester: Return by 5pm 11th August 2017**



# Phase 2

PLANNING &  
DEVELOPMENT  
LIMITED

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## Tendring District Local Plan – Publication Draft Representations on behalf of Mr R Giles and Nexus Land Ltd

**Date:** July 2017

### **Policy SP8 (Tendring/Colchester Borders Garden Community)**

We have no objection to the principle of a new garden community on the borders of Colchester and Tendring, or the assumption that this new garden community will expand beyond the Plan period as a major location for growth in North Essex.

Our concerns relate principally to the need to ensure that assumptions regarding deliverability in the Plan period are realistic for this location.

The draft Policy notes that the details for the proposed development would be the subject of a joint Masterplan Framework to be prepared by Colchester and Tendring districts Councils, and it is reasonable to assume that the majority of the Masterplan Framework preparation will not occur until after the Local Plan has been Examined and found sound (though we accept that an element of ‘twin tracking’ of the LPD and Masterplan processes could occur). It might therefore be reasonably expected that the Masterplan Framework will not be in place until circa 2018/19, after which an initial planning application(s) would need to come forward, coupled with the appropriate s106 agreement in respect of infrastructure delivery, before any development could commence. We note from the background documentation produced that there is an expectation of significant community involvement in the design of the garden communities, which is important, but which needs to be factored in to the lead in time for delivery.

At this stage, therefore, and in the absence of a more specific project programme for this location, the earliest that it might be expected that housing construction could start on site would be circa 2021, and even that would be a challenging target, given that it is only 5 years away, and the Local Plan is still only at Preferred Options stage. In reality, it is highly likely that commencement on site would take longer to achieve than that.

Tendring district tends to be a relatively slower housing market compared to other parts of North Essex, and in this location, it might be expected that a strategic development, once output reaches full production, could deliver in the order of 100 - 150 dwellings per annum, depending upon the affordable housing element (we note that Section 8.4 of the Options and Evaluation Report suggests 120 units, or 160 units with 25% affordable). Assuming a reasonable average of, say, 125 units per annum, this would deliver only 1500 units within the Plan period, not 2,500.



## Phase 2

PLANNING &  
DEVELOPMENT  
LIMITED

We appreciate from the background documentation that it is intended to set up innovative Local Delivery Vehicles to help deliver the new garden communities, and there may be mechanisms by which such LDVs might be able to support consistent delivery, but the establishment of these LDVs themselves represents a further potential hurdle to the early commencement of the new garden communities, as the new legal and procedural arrangements for delivery will need to be in place in advance of commencement of construction. The assumption in section 8.4 of the Options and Evaluation Report that a combination of an LDV and marketing of the concept of garden communities can add 50% to delivery rates is wholly without any evidence or foundation.

It is also relevant to note that this particular development option straddles two local authority boundaries, and notwithstanding the co-operation being shown on the strategic development principles, this factor creates additional complexities for delivery.

The above (albeit at this stage rough) estimates of delivery suggest that the relevant Local Plans need to find sites for in the region of an additional 1000 units, to overcome the shortfall in likely delivery in the Plan period.

In the absence of an agreed phasing plan for the new garden community, it is difficult at this stage to be precise about the extent to which any delivery shortfall would affect the Tendring Local Plan, but assuming a likely phased delivery from the west (fringes of Colchester) towards the east, it is possible that none of the 1,164 units assumed to be delivered within Tendring district will in fact come forward in the Plan period.

### **Policy SPL1 (Managing Growth)**

We broadly support the settlement hierarchy set out in Policy SPL1, and the distinction between the different categories of settlements. In particular, we support the inclusion of Clacton-on-Sea as a strategic urban settlement, and the recognition in paragraph 2.43 that the strategic urban settlements will accommodate the largest proportion of the District's housing stock over the Plan period.

We note that paragraph 2.44 states that both Clacton and the Colchester Fringe are to be identified as 'broad areas' for longer term growth beyond the current Plan period. In respect of the Colchester Fringe, we note that Map 12 does indeed identify a 'broad location' within which future development could occur, rather than a specific site allocation.

However, for Clacton, Maps 10 and 11 show specific site allocation, and there is no similar notation of a 'broad location' for future growth. It is not evident therefore how the concept of Clacton as a 'broad location' for future growth is translated in to a practical policy or Proposals Map annotation, as there appears to be no other reference other than the statement referred to above at paragraph 2.44.

We consider it right that Clacton is identified as a broad location for future growth (and for additional growth in the Plan period, in the event of under-delivery elsewhere). This could include one of a number of practical measures, such as:

1. Identifying reserve allocations at Clacton (see also our representations to LP1), which if unused would provide possible longer term locations for growth;
2. Identifying the urban fringes of Clacton not otherwise allocated as specific development sites as a 'broad location' in similar vein to the notation used on Map 12;
3. Identifying broad directions for future growth at Clacton/indicative locations on the Key Diagram.



## Phase 2

PLANNING &  
DEVELOPMENT  
LIMITED

### **Policy LP1 (Housing Supply)**

As currently drafted, there is a lack of consistency/clarity between the housing provisions of Policy LP1 and the strategic housing provisions of SP2. The strategic policies of the Plan cover a 20 year plan period from 2013 to 2033, and, at 550 dwellings per annum, require the provision of 11,000 homes in the plan period.

Policy LP1 refers to a shorter plan period of 2032, and the document is therefore internally inconsistent in this respect.

The 9,955 homes referred to in Policy LP1 as being deliverable from the allocations/sources referred to therefore represents a shortfall of 1,045 against the strategic housing target of SP2, not the 19 units referred to in Policy LP1.

Furthermore, for the reasons set out in our representations to Policy SP8, we do not consider that the 1,164 units identified under Policy LP1 for East Colchester can be relied upon for delivery within Tendring District within the Plan period.

In addition, given the size of Weeley and the current market demand for property in that area, we would also question whether or not there is evidence to support the contention that the village will be able to deliver over 1000 properties in the Plan period.

Given the large scale of the overall housing allocation, and the need for delivery from a large range of housing sites, there must also be some prospect for non-delivery from other sources.

For all of the above reasons, we consider that there is a shortfall in planned housing supply within the Plan period, and a likelihood of under-delivery from those sources of housing supply that are identified.

We therefore consider that is a case for both additional residential allocations or, in the absence of specific additional allocations, either the identification of reserve sites or a policy that would have the effect of triggering the delivery of additional housing at identified locations in the event of under-delivery.

In accordance with the settlement hierarchy set out in Policy SPL1, the logical locations for any additional allocations/reserve locations would be the Strategic Urban Settlements. However, as the Colchester western fringe is one of the prime candidates for under-delivery in the Plan period, this would not be an appropriate location for identifying additional deliverable land. Clacton-on-Sea and Harwich/Dovercourt would therefore be the logical locations.

In accordance with our representations to the Policies Map for South East Tendring, we consider that land on the east side of Clacton at Burrs Road/Sladbury's Lane should be identified for residential development, either as:

- (a) An allocation for immediate development in the light of the shortfall identified above;
- (b) As a reserve site in the event of under-delivery from other locations;
- (c) As part of the 'broad location' for future growth referred to in paragraph 2.44 (see our representations to Policy SPL1).

### **Policy PPL6 Strategic Green Gaps**

In our submission, the proposed east Clacton Local Green Gap between Burrsville Park and Holland On Sea should be deleted on the basis of the following:

- 1. the Council has previously determined to redefine the LGG in the context of the emerging Local Plan to exclude the Application Site from continued protection under this policy;*
- 2. Our client's land by reason of its location relative to adjoining open countryside, and its ability to deliver a substantial area of Green Infrastructure, does not materially prejudice the ability of the Council to maintain a Green Gap between Holland-on-Sea and Clacton-on-Sea;*
- 3. That there are moreover additional green infrastructure requirements in the case of the Subject Site, specifically an acknowledged shortfall in publically accessible open space.*

### **Policies Map South East Tendring District**

In the light of our representations to SP8, SPL1, and LP1, we consider that the additional land shown on the attached plan should identified for residential development, either as:

- (a) An allocation for immediate development in the light of the shortfall in housing land supply (as identified in our representations to LP1);
- (b) As a reserve site in the event of under-delivery from other locations (as per our representations to LP1);
- (c) As part of the 'broad location' for future growth referred to in paragraph 2.44 (see our representations to Policy SPL1).

This location has previously been identified as suitable and available in the Council's Strategic Housing Land Availability Assessment, and indeed was proposed for development in the 2010 Draft Local Plan. It remains a highly sustainable location, close to the town centre and local facilities, and close to local employment opportunities. The SHLAA has identified no unresolvable environmental objections, and therefore subject to appropriate highway mitigation and educational provision (a primary school can be provided on site), the evidence still supports the allocation of this site for development.

# BURRS ROAD, CLACTON-ON-SEA.

RESIDENTIAL SCHEME: PART 1 SCHEME LAYOUT PLAN

SCALE BAR 1:500



## KEY

-  Proposed Residential
-  Mixed Use
-  Proposed School  
= 12730 m2 (1.27 Hectares)
-  Open Space  
Total area  
= 146440 m2 (14.64 Hectares)
-  Proposed roads
-  Pedestrian Routes
-  Drainage
-  Phase Boundaries
-  Overhead Cables
-  Road Improvements
-  Approximate Extent of Flood Zone
-  Site Entrance
-  New Junction Alignment
-  Feature Business



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PROJECT TITLE  
**RESIDENTIAL SCHEME**  
 DRAWING TITLE  
**AS PROPOSED:**  
 Area Allocation Plan  
 PROJECT NAME AND ADDRESS  
 Burrs Road,  
 Clacton-on-Sea,  
 Essex.  
 DWG NO. 256.100C  
 SCALE 1:2500  
 DATE 17.02.2013

Friday, 28 July 17

**Tendring District Local Plan 2013 – 2033 and Beyond. Publication Draft.**

**Consultation Response Form**

Agent Details: Dr. Simon Ruston  
Ruston Planning Ltd  
10-12 Picton Street  
Montpelier  
Bristol  
BS6 5QA  
01173250350

Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following: Section 2 Tendring

Which part of the section are you responding to? Policy LP9

Do you consider the Local Plan is Legally compliant? No

Does it comply with the Duty to Co-operate? No

Do you consider the Local Plan is Sound? No

If you do not consider the Local Plan is sound, please specify on what grounds:  
Justified, Effective, Consistent with National Policy

Enter your full representation here: See attached Response

Please specify the changes needed to be made to make the Plan sound / legally compliant: See attached response

Do you wish to participate at the oral part of the examination? Yes

If yes you wish to participate at the oral part of the examination, please outline why you consider this to be necessary: See attached response.

Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan? No

Do you wish to be notified? At all listed points.

Please find attached the following 5 no. documents which form our response to the Tending Local Plan Consultation:

Consultation response cover letter (this document)

Consultation Response – Submission by Ruston Planning Ltd

Guildford Proposed Submission Local Plan - extract

South Cambridgeshire EiP - Inspectors letter to council re GTAA

Hull Local Plan Proposed Main Modifications - extract

Friday, 28 July 17

## **Tendring District Local Plan 2013 – 2033 and Beyond. Publication Draft.**

### **Consultation Response**

#### **Submission by Ruston Planning Ltd**

1. Ruston Planning Limited specialises in Gypsy, Traveller and Showpeople planning. We are instructed by Mr T Buckley, who currently has a planning application submitted (17/00507/FUL Land to The South of Gutteridge Hall Lane Weeley Essex). As such, he wish to see that the elements of the Local Plan that are applicable to him are sound and based on a robust evidence base.
2. In this submission we set out two main arguments. First, we assess policy LP9: Traveller Sites, concluding that in our view certain elements of the policy are not consistent with national policy. Second, we evaluate the evidence upon which this policy is based: Tendring Gypsy and Traveller Accommodation Assessment, Need Summary Report, May 2017 (the GTAA), arguing that the GTAA is not sufficiently robust, and that therefore the level of need in the area has not been adequately assessed. It follows, therefore that policy LP 9 is not based on robust evidence.

#### **Policy LP 9: Traveller Sites**

3. Policy LP.9 correctly provides criteria against which applications for Traveller sites should be assessed. However, in our view much of the policy is overly restrictive, and therefore unreasonable and inconsistent with Planning Policy for Traveller Sites (PPTS).
4. Below we have reproduced the criteria outlined in policy LP 9 (in italics), and annotated with regards to its consistency with national policy:

*In terms of un-met need when considering any proposals for additional traveller sites or pitches, the Council will consult the latest evidence of need contained in the most recent Gypsy and Traveller Accommodation Assessment and will only approve planning permission for proposals that*

*can demonstrate, with evidence, a genuine need for the proposed level of provision.*

In our view this requirement is not consistent with National Policy. PPTS is clear that all applications should be assessed against criteria-based policy, regardless of whether there is any identified need. Para. 11 of PPTS states that:

*“11. Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.”*

*The Council will consider proposals against criteria a) to h) below alongside other requirements in the Local Plan:*

*a. sites must avoid any adverse impacts on any internationally, nationally or locally designated protected areas and must avoid areas prone to flooding;*

We consider this criterion to be consistent with PPTS / NPPF.

*b. sites must have reasonable access to key facilities (normally 1.5miles/2.4km on foot or 15 miles/24km by public transport to primary schools, doctors’ surgeries and convenience shops, 2 miles/3.2km on foot or 20 miles/32km by public transport to secondary schools and major employment);*

In our view, this policy criterion is overly prescriptive. It is useful to note that there are no specific distances to services cited in PPTS. And further, there is no mention of the need to reduce reliance on private car use. In addition, Para. 29 of the NPPF acknowledges that *“opportunities to maximise sustainable transport solutions will vary from urban to rural areas”*.

*c. sites should, where possible, utilise previously developed land and recognise the scale of nearby communities;*

We consider this criterion to be consistent with PPTS.

*d. sites must not exceed ten pitches in size and must make a minimum allowance of 250 square metres per pitch including circulation and*

*amenity space and a maximum of 350 square metres. Sites should normally be 3 miles/4.8km apart with scope for smaller sites to be closer than this;*

In our view this policy is overly restrictive, and further the size stipulations are both unrealistic, unnecessary, and discriminatory.

A maximum size of 350 square meters is unreasonably small. There is no reference at all in PPTS to a maximum / minimum size of a pitch. It is also worth noting that, although no longer extant the CLG designing Gypsy and traveller Sites: Good practice guide (2008) also makes no reference to ideal size, instead recognising that requirements will be different for different Gypsies / Travellers.

Further, in our view restricting the location of sites by stipulating a minimum distance between them is not consistent with national policy, the correct approach being to ensure that proposals will not dominate the nearest settled community as set out in para. 25 of PPTS.

*e. sites must comprise flat well drained ground and achieve safe access for large vehicles from the local road network and access to utilities;*

We consider this criterion to be broadly consistent with PPTS. However, the stipulation that the site must be flat is, in our view, overly restrictive. It is perfectly feasible that, as with bricks and mortar housing, with the appropriate permission a sloping site can be levelled to provide an appropriate gradient for development.

*f. sites must be safe for children, achieve aesthetic compatibility with the surroundings with scope for visual and acoustic screening to protect the amenity of nearby residents; and not impact on high grade utilised agricultural land;*

It is unclear why acoustic screening would be necessary and we would suggest that this is not an appropriate requirement. Furthermore, we would suggest that the point on agricultural land should be made to better fit the requirements of the NPPF at para.112

*g. sites must be of a high quality design and landscaping, providing a good standard of residential amenity for their occupiers; and*

In our view this criterion is consistent with PPTS.

*h. sites must be linked to mains services.*

Again, in our view this requirement is too restrictive and not consistent with PPTS. It is not possible for all sites to be linked to mains services, particularly as many inevitably have rural or semi-rural settings. In our view this cannot be taken as indication that the site is not suitable as there are many acceptable alternatives available.

In support of this view, in an appeal decision letter for Traveller pitches at Gutteridge Hall Lane (ref: APP/P1560/A/13/2195901 & 2195904) the Inspector states at para. 58 that:

*58. Although one of the criteria for gypsy and traveller sites in Policy HG22 is that sites should be linked to mains services, this does not appear to be a realistic option at the appeal site. Such connections were evidently not regarded as necessary when permission was granted for the existing pitches, and I see no reason to take a different view now.*

Although the Inspector is referring to old policy, the statement remains relevant.

5. In conclusion, in our view much of the criteria in policy is overly onerous, too restrictive and inconsistent with national policy. As such we suggest that much of it should be revised.
6. As a final and crucial point, it is unclear how the needs of Gypsies and Travellers who do not fit the new planning definition are to be met. We would emphasize that ethnic Gypsies and Travellers have a legal right to culturally appropriate accommodation, regardless of their travelling patterns. As such an absence of clear policy on this matter may leave the Tendring Local Plan open to legal challenge. This point is discussed in more detail below.

#### **Tendring GTAA Need Summary Report (May 2017)**

7. The Tendring GTAA 2017 was compiled largely in response to the change in the planning definition of Gypsies and Travellers introduced with the 2015 amendments to PPTS.
8. It is important to emphasize at the outset that the change in definition is currently subject to legal challenge, and as such it is perhaps premature to base new policy on the current definition.
9. It is noted that DCLG GTAA guidance (the 2007 Guidance), published in October 2007, was revoked in July 2016. However, as it has not been replaced by an updated document it currently represents the only government guidance on

carrying out GTAA's and as such it has been referred to below. In our view many of the issues that the guidance comments on remain unchanged by the 2015 amendments to Planning Policy for Traveller Sites (PPTS).

### ***Survey pool/baseline population***

10. The 2017 GTAA achieved interviews with 4 Gypsy and Traveller households. Even if the baseline population is assumed to be as low as 15 (8 households with which no contact was possible and at least 1 additional household at Spring Stables where the study notes at para. 5.14 an (unquantified) degree of overcrowding), this represents only 26.7% of the identified population.
11. It is worth emphasising that the baseline population figure is likely to be much higher than the 15 identified households and as such the 4 households reached are likely to represent an even smaller percentage of the actual Gypsy and Traveller population in Tendring
12. In our view this represents an unacceptably low percentage of identified households, particularly as no allowance has been made in the need calculations for either households that have not been identified or identified households that have not been reached.
13. Furthermore, we would suggest that as the surveys took place between January and September 2016 and again in May 2017, the fact that no contact was possible with 9 households over this time frame is likely to be indicative of the fact that they were pursuing a 'nomadic lifestyle'.

### ***Bricks and Mortar***

14. The 2017 GTAA achieved no surveys with Gypsies and Travellers living in bricks and mortar and as such no allowance has been made for movement from bricks and mortar to sites. The GTTA states at para. 4.3 that:

*4.3 At the time of concluding this report no contacts had been identified to interview.*

15. The GTAA is clear that it does not extrapolate findings from bricks and mortar population, stating at para. 2.14 that:

*2.14 As a rule we do not extrapolate the findings from our fieldwork with bricks and mortar households up to the total estimated bricks and mortar population as a whole as in our experience this leads to a significant over-estimate of the*

*number of households wishing to move to a site or a yard. We work on the assumption that all those wishing to move will make their views known to us based on the wide range of publicity we will put in place. Thus we are seeking to shift the burden of responsibility on to those living in bricks and mortar through demonstrating rigorous efforts to make them aware of the study.*

16. We would note that even if surveys had been achieved it would not be possible to extrapolate the findings as the study provides no estimate/calculation of the baseline bricks and mortar population, which in itself is a gross oversight.
17. Although we acknowledge the difficulties of accessing Gypsies and Travellers in bricks and mortar, we would suggest that achieving no interviews is not reason to make no allowance for movement from bricks and mortar to sites. This view is supported by the Inspector at recent appeal<sup>1</sup> who considered the findings of another ORS GTAA for Central Bedfordshire (the first to be completed after the change in definition), and who states at para. 36 of the decision letter that:

*'I agree with ORS that getting to gypsies in bricks and mortar seems to be very difficult but, rather like the caravan count, **because the interviews revealed nothing doesn't mean it is reasonable to assume there is no-one.**' (emphasis added)*

#### **Household formation rates**

18. It is noted that, as the GTAA acknowledges, it is difficult to make accurate assessments of future need. However, in our view, The GTAA's approach to household formation rates is imprecise and unclear and therefore unsound.
19. With regards to household formation rates, the 2007 guidance states at para. 93 that:

*'Information on the likely rate of household formation and assessments of future accommodation need should be based primarily on locally gathered evidence, rather than average national estimates which may not reflect the position in the survey area concerned. Local trends should be identifiable from the current demographic profile of the community obtained from the local survey, from agencies working directly with local Gypsy and Traveller communities and from figures previously given for the caravan count. Gypsy and Traveller community representatives on the steering group should also be able to advise. In the event that local data*

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<sup>1</sup> APP/P0240/A/12/2179237

*does not provide a clear picture it should be noted that average national estimates range between 3-4%.’*

20. We would emphasise that the guidance suggests using multiple sources in identifying local trends, and further it states that if the local data does not provide a clear picture average national estimates range between 3-4%. We would suggest that if only a few surveys have been completed, it is unlikely that local data will provide a ‘clear picture’

21. The growth rates used in the Tendring study are unclear. The GTAA states, at para 5.12. that:

*5.12 In certain circumstances where the numbers of households and children are low it is not appropriate to apply a percentage rate for new household formation. In these cases a judgement will be made on likely new household formation based on the age and gender of the children. This will be based on the assumption that 50% of likely households to form will stay in the area. This is based on evidence from other GTAAs that ORS have completed across England and Wales.*

22. First we would invite ORS to clarify what this ‘judgement’ entails.

23. Second we would question the accuracy and consistency of assuming that only 50% of newly formed households will remain in the area. If 50% of newly formed households are discounted from the study, where are they counted?

24. In our view, this approach is no different from applying a figure for net out-migration. With regards to in/out migration, in the ‘technical report’ at the end of the study it states that:

*23. Population growth is affected by national net migration and local migration (as Gypsies and Travellers move from one area to another). In terms of national migration, the population of Gypsies and Travellers is relatively fixed, with little international migration. It is in principle possible for Irish Travellers (based in Ireland) to move to the UK, but there is no evidence of this happening to a significant extent and the vast majority of Irish Travellers were born in the UK or are long-term residents. In relation to local migration effects, Gypsies and Travellers can and do move between local authorities – but **in each case the in-migration to one area is matched by an out-migration from another area**. Since it is difficult to estimate the net effect of such movements over local plan periods, **ORS normally assumes that there will be nil net migration to/from an area.***

*Nonetheless, where it is possible to estimate specific in-/out- migration effects, we take account of them, while distinguishing between migration and household formation effects. [our emphasis]*

25. In our view this seems to be inconsistent with assuming that only 50% of newly formed households will remain in an area.
26. With regards to actual household formation in Tendring, the GTAA is unclear and imprecise, going on to state at para. 5.14 that:

*5.14 The outcomes in Tendring are that new household formation for Gypsies and Travellers who meet the planning definition has used the site demographics as there were only 2 children identified; site demographics have also been used for Gypsy and Traveller households that do not meet the planning definition as there were only 5 children identified; and the national rate of 1.50% has been used for unknown households.*

27. Whilst we invite ORS to clarify what household growth calculations have actually been used for those who do and do not meet the planning definition, what does seem clear is that according to the demographic results of the survey different growth rates are used throughout the study.
28. In our view relying on local demographic data to calculate growth rates when only a small number of surveys have been conducted is unlikely to yield accurate results.
29. In the appeal referred to above<sup>4</sup> the Inspector directly addresses the issue of using differential growth rates (para.37):

*... What is surprising is that they applied different rates to different groups of gypsies. Whatever a family's relationship to the terminology of PPfTS they are still gypsies in habit and culture and so are likely to exhibit the same household formation tendencies as each other and there would seem to be no reason to ascribe different formation rates.*

30. Further, in a 'Review of Gypsy Traveller Accommodation Assessment Evidence' compiled for Maldon District Council by the University of Salford, Dr Phillip Brown draws attention to the fact that the 1.5% household formation rate which ORS often utilises<sup>5</sup> draws heavily from birth rates from Hungarian Roma

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<sup>4</sup> APP/P0240/A/12/2179237

<sup>5</sup> As it does in the 2017 GTAA in relation to 'unknown' households for whom no demographic data is available.

population statistics and questions the applicability of this data to UK Gypsies and Travellers. Further the report concludes that:

*planning only for the 1.5% pa figure may not provide for possible understatement resulting from shortcomings in accessing households in bricks and mortar and concealed households.*

31. The issue of providing for concealed households and understatement of need is particularly pertinent for the Gypsy Traveller community which is widely acknowledged can be a 'hard-to-reach' group.

32. Whilst we note that the 2017 GTAA asserts at para.5.1 that:

*[...] the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.*

33. The appeal decision referred to above demonstrates that this is clearly not always the case.

### **Overcrowding**

34. In our view the GTAAs approach to overcrowding demonstrates that the need calculations are not robust. The study states at para. 5.14 that:

*5.14 Whilst it was not possible to formally interview households living at the Spring Stables site **it was noted that there was a degree of overcrowding** on one of the pitches. However the site has **recently been granted planning permission** for 5 additional pitches and these will address any current over-crowding. [our emphasis]*

35. First, it is unclear the extent of the overcrowding noted.

36. Second, it is unclear why this overcrowding has not been included in any of the need calculations. Notwithstanding the potential availability of the 5 additional pitches, any doubled up pitches should, in our view, be included in need calculations, as even if there is not an immediate need, the additional household will inevitably effect future growth projections.

### ***Extrapolating findings***

37. In the past it has been standard for an assessment to contain a certain degree of extrapolation / proportional approach / scaling up. It is unlikely that any survey will reach every household that it relates to, but it should provide a sufficient evidence base from which to extrapolate results in order to account for households that were not surveyed<sup>6</sup>.

38. ORS have previously adopted a more cautionary and, in our view, more reasonable, strategy in order to allow for concealed households. When justifying the use of a 2.5% Household formation rate in the Gloucestershire 2013 GTAA, ORS state at para. 8.34:

*Therefore, an annual growth rate of 2.5% has been used in this assessment. Given that the evidence for population is as low as 1.25% per annum, we consider that this relatively high rate will provide enough pitches to accommodate all newly forming households in Gloucestershire and will also allow for concealed households and those living in bricks and mortar who may not have been identified in the survey.*

39. It is unclear why this was no longer thought to be appropriate.

### ***Dividing the GT Population according to the PPTS definition***

40. It is acknowledged that current policy advises that the needs of Travelling and non-Travelling households should now be assessed separately. However, we would suggest that in order to meet the requirements of both Article 8 of the Human Rights Act 1998 and the Public Sector Equality Duty, the needs of all Gypsies and Travellers including those who are identified as 'unknown' or non PPTS should be met through the same policy, as other LPAs are proposing to do (see attached examples from Guildford and Hull).

41. It is informative that the 2007 guidance observes at paras. 18 & 19 that:

*'18. Gypsies and Travellers will typically form only a very small percentage of the population in any given area. The total population is estimated to be about 0.6% of the total UK population, of which only a proportion are living in, or seeking, caravan site accommodation. This means that the*

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<sup>6</sup> see for example: Supporting an Assessment of the Accommodation Needs of Gypsies and Travellers in Cornwall (2015), or the Solihull GTAA (2012) both of which were used as part of the evidence base for the respective Local Plans and found to be sound

***Strategic Housing Market Assessment is unlikely to yield results that are statistically robust for Gypsies and Travellers as a separate group.***

*19. Cultural differences, a reluctance of some members of these communities to identify themselves as Gypsies or Travellers, or a disinclination to participate in a process with which they are not familiar, mean that the main Strategic Housing Market Assessment process is likely to be markedly less successful in accessing this group than others. In addition, the particular lifestyle and culture of Gypsies and Travellers may give rise to distinctive accommodation needs, which the main assessment will be unlikely to pick up.’ (emphasis added)*

42. These statements remain pertinent. The change in definition has not altered the significance of cultural differences or the fact that including a very small minority group within the wider SHMA is unlikely to achieve robust results. Indeed, dividing the Gypsy / Traveller population between the GTAA's and the SHMA will only reinforce the significance of the statement as it means that the population included within the SHMA is even smaller.

43. Perhaps more importantly, if the SHMA is to account for Gypsies and Travellers that do not fulfil the definition, and they are not treated as Gypsies and Travellers for planning purposes, their right to a traditional lifestyle is likely to be compromised.

44. This is a point that was addressed by the Inspector in the Cambridge / South Cambridgeshire EiP in a letter dated 30<sup>th</sup> March 2017 (attached):

*Given the above and the very large number of “unknown” households identified in the GTAA, I am concerned that planning for the very small numbers identified as currently coming within the new definition without identifying provision for those persons who fall outside the PPTS definition who have a need to reside in caravans may not represent a sound approach in South Cambridgeshire. **There would also be Human Rights and Public Sector Equality Duty implications in adopting a plan which fails to meet the needs of those persons who no longer fall within the PPTS definition but who are in need of a caravan site, in particular those persons who are also Romany Gypsies, Irish Travellers, elderly and disabled** [emphasis added].*

45. Although the numbers involved in Tendring may be significantly lower than in South Cambridgeshire, the point remains relevant. The Tendring Local Plan policy

is unclear in how it intends to meet the needs of Gypsies and Travellers who do not fit the PPTS 2015 definition, or indeed those whose status is unknown.

46. Notwithstanding that the division of the Gypsy and Traveller population between those who do and do not travel is in itself discriminatory and, in our view, unlawful, we would suggest that the method used by ORS to distinguish between Travellers who do and do not fit the new PPTS definition, is flawed in itself and may in fact exclude Travellers who do still travel. The key point here is the way in which they have applied the relevant case law on the definition. Para. 1.10 cites the well known authority of Dunn:

*1.10 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.*

47. We would agree that this is an accurate description of the case law. It is useful now to consider how this has been applied to the definition.

48. Para 1.15 concludes that those Gypsies and Travellers who have stated that they travel to visit horse fairs do not fit the new definition:

*1.15 The implication of these rulings in terms of applying the planning definition is that it will only include those who travel (or have ceased to travel temporarily) for work purposes and in doing so stay away from their usual place of residence. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will not cover those who commute to work daily from a permanent place of residence.*

49. Para. 5.3 of the assessment is indicative of the problematic nature of the application of this approach. When discussing the findings in Tendring, it is stated that:

*Some did travel for cultural reasons to visit fairs, relatives or friends, and others had ceased to travel permanently – these households did not meet the planning definition.*

50. In our view had Mr Dunn been asked the main reason for his travelling he would have most likely have stated “horse fairs” and the ORS approach would have excluded him from being within the definition:

51. In effect, the approach taken to the definition on this point has nothing to do with the August 2015 amendments to PPTS, and it would seem highly probable that this has had the effect of excluding a number of Gypsies and Travellers from the definition. Such an approach is in our view unlawful, and would leave the Local Plan open to legal challenge unless remedied.

### **Lack of Clarity**

52. As a final point, we would suggest that the advice given at para. 5.19 of the GTAA, and reproduced in policy LP9, is unclear. We therefore invite ORS / the LPA to clarify what is meant by the following:

*5.19 It is understood that that one of the undetermined sites that is seeking planning permission for 5 additional pitches to the south of Woodfield Bungalow is owned by the family of the households that do not meet the planning definition. If planning permission is granted these pitches may be used to meet need for 3 additional pitches arising from households living on existing pitches adjacent to Woodfield Bungalow.*

### **Conclusions**

53. In our view, it is erroneous that only those Gypsy’s and Travellers who have completed a survey and have demonstrated that they meet the 2015 definition should be included in need calculations, particularly when such a small survey sample has been achieved.

54. The difficulties of accessing the community are well documented and it is simply unrealistic to expect to be able to survey 100% of the Gypsy / Traveller population. As such it seems somewhat unrealistic and unhelpful to only include in need calculations those Travellers who have ‘demonstrated that they fulfil the new definition’.

55. It simply does not represent ‘good planning’ to work with the most minimum of figures as the update appears to suggest. Not only is there is no basis for such an approach in policy or guidance, it is likely to lead to a greater disparity between provision and need in the future, thereby accentuating the inequalities the Gypsy Traveller community face.

56. In our view, including only Gypsies and Travellers who demonstrate they still Travel in need calculations is discriminatory and unlawful.

57. Furthermore as detailed above the GTAA is at points unclear and inaccurate.

58. For the reasons given above, in our view the GTAA update is not a sufficiently robust assessment of need and as a result the actual level of unmet need has been significantly underestimated. It follows that the related policy has not been based on sound evidence.

Dr Simon Ruston MRTPI

*Ruston Planning Limited*

## **POLICY S2: Borough Wide Strategy Planning for the borough - our spatial development strategy**

- (1) During the plan period (201~~53-343~~), we will make provision for at least 12,426 new homes, ~~37,200~~36,100 – ~~47,200~~43,700 sq m of office and research and development (B1a and b) floorspace, ~~and 4.73.7~~ – ~~5.34.1~~ hectares of industrial (B1c, B2 and B8) ~~employment land and 41,000 sq m of comparison retail floorspace.~~ to help meet the needs for new homes, support the economy and supply 3,200 additional B class jobs.
- (2) The delivery of homes is expected to increase over the plan period, reflective of timescales associated with the delivery of strategic sites and infrastructure. The housing target each year is as set out below, however, this is not a ceiling, and earlier delivery of allocated sites will be supported where appropriate, subject to infrastructure provision.
- (3) We will identify ~~4~~43 permanent pitches for Gypsies and Travellers and ~~4~~6 permanent plots for Travelling Show-people (as defined by Planning Policy for Traveller Sites) within Guildford borough between 201~~72~~ and 203~~417~~. ~~Between 2017 and 2027 an additional 30 pitches and 2 plots will be permitted or any new target as identified within an updated Traveller Accommodation Assessment.~~ Whilst the needs of Gypsies, Travellers and Travelling Showpeople who do not meet the planning definition fall outside this allocation, in order to meet their assessed needs we will seek to provide 41 permanent pitches for Gypsies and Travellers and 4 permanent plots for Travelling Showpeople who do not meet the definition. We will also seek to make provision for 8 permanent pitches to meet potential additional need of households of unknown planning status.

### **Annual Housing Target**

<b>Year</b>	<b>Housing number</b>	<b>Year</b>	<b>Housing number</b>
<b>2018/2019</b>	<b>500</b>	<b>2026/2027</b>	<b>700</b>
<b>2019/2020</b>	<b>550</b>	<b>2027/2028</b>	<b>700</b>
<b>2020/2021</b>	<b>600</b>	<b>2028/2029</b>	<b>785</b>
<b>2021/2022</b>	<b>600</b>	<b>2029/2030</b>	<b>790</b>
<b>2022/2023</b>	<b>700</b>	<b>2030/2031</b>	<b>790</b>
<b>2023/2024</b>	<b>700</b>	<b>2031/2032</b>	<b>790</b>
<b>2024/2025</b>	<b>700</b>	<b>2032/2033</b>	<b>790</b>
<b>2025/2026</b>	<b>700</b>		

<b>Year</b>	<b>Housing number</b>	<b>Year</b>	<b>Housing number</b>
<b>2019/2020</b>	<b>450</b>	<b>2027/2028</b>	<b>700</b>
<b>2020/2021</b>	<b>450</b>	<b>2028/2029</b>	<b>700</b>
<b>2021/2022</b>	<b>500</b>	<b>2029/2030</b>	<b>800</b>
<b>2022/2023</b>	<b>500</b>	<b>2030/2031</b>	<b>810</b>
<b>2023/2024</b>	<b>500</b>	<b>2031/2032</b>	<b>850</b>
<b>2024/2025</b>	<b>550</b>	<b>2032/2033</b>	<b>850</b>
<b>2025/2026</b>	<b>600</b>	<b>2033/2034</b>	<b>850</b>
<b>2026/2027</b>	<b>700</b>		

4.1.9a The figures set out in the Annual Housing Target table sum to a total of 12,426 homes.

## 4.2 Housing Policies

### Policy H1: Homes for all

#### Introduction

- 4.2.1 We want to deliver a wide variety of high quality homes that provide all tenures, types and sizes of housing to meet the needs and demands of different people in our community. This includes housing for families, older people, people with disabilities, travellers and students. New housing developments must take account of local need to give a genuine choice and mix of housing and help create balanced, sustainable and inclusive communities.

### **POLICY H1: Homes for all**

#### **Housing Mix**

- (1) New residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location.
- (2) Development that results in the net loss of ~~all housing or specialist~~ housing, including sites allocated for housing within the Local Plan will not be permitted. Development that results in the net loss of C2 use class or C3 use class accommodation or traveller accommodation, including sites allocated for such use in the Local Plan, will not be permitted.

#### **Density**

~~New residential development is required to make the most efficient use of land whilst responding to local character, context and distinctiveness. Residential densities will vary dependant upon the local area context and character and the sustainability of the location. Higher density development will be supported in Guildford town centre.~~

#### **Accessible homes**

- (3) On residential development sites of 25 homes or more 10% of new homes will be required to meet Building Regulations M4 (2) category 2 standard 'accessible and adaptable dwellings' and 5% of new homes will be required to meet Building Regulations M4 (3)(b) category 3 wheelchair user accessible dwellings standard or any subsequent legislation on making homes accessible and adaptable.

#### **Specialist accommodation housing**

- (4) ~~We will support t~~he provision of well designed specialist forms of accommodation in appropriate sustainable locations is encouraged, taking into account local housing needs.

#### **Student accommodations**

- (5) Purpose built student accommodation for full time higher education Guildford based students will be encouraged on campus locations where appropriate. We expect About 60 per cent of full time Guildford based the University of Surrey eligible students population (full time equivalent) are expected to be provided with student bedspaces

and accommodation on campus.

### **Gypsy, Traveller and Travelling Showpeople pitches and plots**

- (6) ~~We will identify sufficient sites~~ are allocated within the Local Plan to meet the for Travellers' accommodation needs of Gypsies, Travellers or Travelling Showpeople (as defined by Planning Policy for Traveller Sites) as set out in the latest Traveller Accommodation Assessment as well as to cater for the potential additional needs of households of unknown planning status. These sites ~~are will be~~ for a mix of tenures and provided on a number of small sites and as part of larger development sites to help create sustainable and mixed communities. Sites are also allocated within the Local Plan to contribute to meeting the assessed needs of Gypsies, Travellers and Travelling Showpeople who do not meet the Planning Policy for Traveller Sites definition. New sites must have adequate utility services and amenity space, space for related business activities where appropriate, safe vehicular access, turning space and parking and be in areas with reasonable access to schools health services and local services. Sites should not significantly impact on the visual amenity and local character of the area or adversely affect an environmentally sensitive location.
- (7) Accommodation for Gypsy, Traveller or Travelling Showpeople (whether they meet the Planning Policy for Traveller Sites definition or not) accommodation should be provided on development sites of 500 homes or more whilst there remains an identified need. For 500 to 999 homes two pitches or plots should be provided, for 1,000 to 1,499 homes four pitches or plots, for 1,500 to 1,999 homes six pitches or plots and for 2,000 or more homes eight pitches or plots.

### **Houses in multiple occupation**

- (8) Proposals for houses in multiple occupation that require planning permission will be supported ~~only~~ where the balance of housing types and character of the immediate locality would not be adversely affected and there is sufficient amenity space available.

### **Self-build and custom housebuilding**

- (9) Self-build and custom housebuilding will be supported if the proposed development has no adverse effect on the local character. On development sites of 100 homes or more 5% of the total homes shall be available for sale as self-build and custom housebuilding plots whilst there is an identified need. For phased development, self-build plots must be delivered and serviced at the earliest stage possible. Self-build and custom housebuilding plots are encouraged on smaller residential development sites.
- (10) Self-build plots made available must respond to the sizes identified on the register. Plots must be made available and priced and marketed appropriately as self-build or custom build plots for at least 18 months.

## **Definitions**

4.2.1a Evidence of active and comprehensive marketing is defined in appendix A2.

### **Reasoned justification**

4.2.2 We have assessed the types, sizes and tenures of homes required to meet the needs of our community through the Strategic Housing Market Assessment (SHMA). This includes accommodation needs of families, older people, people with disabilities, service families, people wishing to build their own home and students. The Traveller

Accommodation Assessment (TAA) has assessed the need for traveller accommodation. We will have regard to the findings of the latest SHMA when determining the right balance of homes in new development and would encourage applicants to discuss housing mix with the Council's Planning and Housing Officers.

4.2.3 From the SHMA 2015 and Addendum Report 2017 we know that in our borough:

- there is a need for 40% one bedroom, 30% two bedroom, 25% three bedroom and 5% four bedroom affordable homes
- there is a need for 10% one bedroom, 30% two bedroom, 40% three bedroom and 20% four bedroom market homes.
- we have an ageing population with a significant projected growth in the over 65 year olds
- there is a projected increase in people with long term health problems or disability
- there is an estimated need for 433242 registered care bedspaces over the plan period
- there is an estimated need for 1,061334 specialist homes accommodation for older people over the plan period
- households headed by someone aged under 35 are projected to increase
- there are approximately 15,635 households with dependent children
- there are approximately 4,689 households containing non-dependent children.

4.2.4 ~~We want a~~ flexible housing stock ~~will that~~ helps meet the wide range of accommodation needs so we will expect all new homes to be flexible, accessible, adaptable and age friendly. New homes should support the changing needs of individuals and families at different stages of life. The requirement for 15% of all new residential development to meet Building Regulations M4 (2) category 2 accessible and adaptable dwellings including a percentage of M4 (3)(b) category 3 standard wheelchair user dwellings will help to address the accommodation needs of people with disabilities and older people.

4.2.5 We wish to see an appropriate mix of homes provided across the borough, including the villages. Whilst all new development must be in keeping with the character of the surrounding area this does not preclude the delivery of smaller units as these are capable of being designed in such a way that respects the prevailing built form.

4.2.6 In most cases the accommodation needs of different groups will be met as part of the general housing supply within the overall assessed housing need (use class C3 dwelling houses) through a mixture of different tenure, size and designed homes. ~~The~~ eExceptions to this include is residential care or nursing homes, student halls of residence and traveller accommodation.

4.2.7 For the purpose of monitoring the contribution of new homes towards our identified local housing requirement, we will include use class C3 dwellings<sup>1</sup> and certain uses that do not have a specific use class (known as sui generis uses<sup>2</sup>) such as large houses in multiple occupation or self-contained accommodation for the elderly. We have different targets for traveller accommodation that we will monitor separately. Purpose built student accommodation on campus and use class C2 residential institutions for older people are considered separately from general housing needs in this plan. Any additional student accommodation or residential institutions built over and above projected need (as identified in the SHMA) will count towards the general housing requirement, based on the amount of accommodation it releases into the general housing market.

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<sup>1</sup> Self-build and custom built houses are classed as C3 use class dwellings.

<sup>2</sup> The Use Classes Order 1987 (as amended)

~~4.2.19 For the purpose of this policy the term ‘eligible students’ applies to students requiring accommodation in the locality and excludes those students not requiring student accommodation such as those on distance learning courses, year out placements, part-time students and those living in their own or family home.~~

**Gypsy, Traveller and Travelling Showpeople pitches and plots**

4.2.20 National planning policy for Gypsy, Traveller and Travelling Showpeople is set out in the National Planning Policy Framework and Planning Policy for Traveller Sites and we will expect all new sites to meet the requirements of national this policy. New pitches and plots should have adequate utility services and amenity space, safe turning space and parking and be in areas with reasonable access to schools, health services and local services. Travelling showpeople sites may also need space for related business storage.

4.2.21 The Guildford borough Traveller Accommodation Assessment (TAA) 2017 found that there was an accommodation need for Gypsies, Travellers and Travelling Showpeople for a mix of tenures for both public and private sites. ~~We support s~~Small-scale tTraveller sites ~~(up to nine pitches or plots) are supported~~ as we believe these will better integrate with the locality. Where larger sites exist, we will support reconfiguration and improvements to the overall living conditions.

4.2.22 ~~We have identified s~~Sufficient sites are identified within the Local Plan borough to meet the accommodation needs for 4 permanent pitches for Gypsies and Travellers 43- permanent pitches for Gypsies and Travellers and 6 permanent and 4 plots for Travelling Showpeople up to 2034 17. Between 2017 and 2027 there is a need for an additional 30 pitches and 2 plots or any new target as identified within an updated Traveller Accommodation Assessment. Whilst the needs of Gypsies, Travellers and Travelling Showpeople who do not meet the planning definition fall outside this allocation, in order to meet their assessed needs we will seek to provide 41 permanent pitches for Gypsies and Travellers and 4 permanent plots for Travelling Showpeople who do not meet the definition. We will also seek to make provision for 8 permanent pitches to meet potential additional need of households of unknown planning traveller status.

4.2.23 Our TAA found no evidence of need for a transit site within our borough. However, we will continue to work with neighbouring authorities to address the issue of transit sites if necessary.

4.2.24 ~~We require t~~Sites allocated for ‘Gypsy and Traveller pitches (sui generis)’ shall be considered for use by “Gypsies and Travellers” as defined by Planning Policy for Traveller Sites and/or for those who do not meet that definition, according to their needs as identified in the council’s Traveller Accommodation Assessment (and any updates) and in accordance with Planning Policy for Traveller Sites (or any updates which may be issued in the future). Gypsy, Traveller and Travelling Showpeople accommodation is required within development sites of 500 homes or more to help create sustainable, mixed communities with suitable accommodation housing for all. The loss of pitches or plots will be strongly resisted.

**Houses in multiple occupation**

4.2.25 Houses in multiple occupation (HMOs) are dwellings lived in by more than one family or groups of individuals who share facilities such as a kitchen or bathroom. They provide a valuable source of accommodation to meet the needs of some of our local population.

## Policy H3: Rural exception homes

### Introduction

- 4.2.45 In many rural Green Belt areas of ~~Guildford the~~ borough high house prices and a limited supply of new affordable homes restrict the potential for resident and newly ~~---~~forming households and those working in the parish to live in a home of their own that they can afford. People who cannot afford to access market housing that meets their needs, either to rent or to buy, need affordable homes. People in this situation who have connections to rural parishes through family, recent past residence, or current employment may be eligible for ~~R~~rural exception housing.
- 4.2.46 As an exception to other development plan policies including Green Belt policy, we will support the provision of rural exception housing. This is affordable housing provided on small sites in rural areas on Green Belt land, as an exception to other planning policies. Such housing must be retained permanently for people who are current or former residents, or who have a family or employment connection to the parish.

### **POLICY H3: Rural exception homes**

- (1) Small affordable housing developments, including pitches for travellers, will be permitted to meet identified local affordable housing needs provided that:
- (a) the site adjoins or is closely related to, and in safe and easy-reasonable walking distance of a defined or a non-defined rural settlement, and
  - (b) the number, size and tenure of homes would be appropriate to meet, or to contribute to meeting, the identified ~~local~~ affordable housing needs of the local community, and
  - (c) the affordable homes are all secured ~~as affordable homes~~ in perpetuity.

### Reasoned Justification

- 4.2.47 There are fewer opportunities to build new homes in our small rural settlements surrounded by, or designated as Green Belt than there are in and around the towns of Guildford, and Ash and Tongham due to more restrictive policies on housing in countryside and particularly in the Green Belt. Reflecting this reduced opportunity, legislation enables us to secure affordable housing in perpetuity in and around most of the villages in the borough. In the villages and parishes listed in the legislation we can secure rural exception housing in perpetuity, secured by planning obligation. In the parishes of East Horsley and Send, rural exception housing may be delivered providing the protection is in place to secure these permanently as affordable housing<sup>1</sup>.

<sup>1</sup> This is because they are not designated as “rural areas” by the Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) Order 1997. East Horsley and Send therefore are not exempt from the right to acquire or right to enfranchise, and so affordable housing cannot automatically be secured in perpetuity. In order for a rural exception scheme to be granted planning approval in East Horsley or Send, the housing provider will have to demonstrate that mechanisms are in place to ensure that the properties remain as affordable housing in perpetuity, for example being held in a Community Land Trust and let on terms which would not allow the freehold to be acquired by the resident and/or sold on the open market.

- 4.2.48 In determining whether a site is suitably small scale, consideration will be given to identified local affordable housing needs and to previous applications for rural exception housing.
- 4.2.49 We will work with parish councils, the Surrey Rural Housing Enabler and landowners to understand the affordable housing needs of people with a local connection to specific rural areas. In applying this policy, consideration will be given to the needs of the local community by accommodating households who have a current employment or family connection, or are current or recent former residents of the Parish. ~~This includes a cascade approach to the allocation of rural exception housing.~~ We will also facilitate provision of rural exception sites for local agricultural workers, and for local traveller needs where such a need is demonstrated. Traveller exception housing will be provided on council-owned public pitches on small, suitably located sites in the Green Belt.
- 4.2.50 Local Rural Housing Needs Surveys are generally carried out by the Surrey Rural Housing Enabler, working with the Council and Parish Councils. We have a rolling programme of surveys for the borough's Parishes. Over half of the parishes in the borough already have local housing needs surveys, although such surveys must be up-to-date if they are to be used in support of a planning application for rural exception housing. Developers may also carry out their own surveys, provided these are verified by the Council and the Rural Housing Enabler. The need for affordable pitches for Travellers' accommodation is reported in Guildford's Traveller Accommodation Assessment 2013.
- 4.2.51 Rural exception housing will be delivered by Registered Providers, and by private developers.
- 4.2.52 There may be situations where a developer demonstrates that a rural exception scheme would be unviable ~~without public subsidy~~. In such situations, and where there are no alternative sites available to provide the identified local affordable housing needs (as required by national policy) we may consider permitting the minimum number of market homes to make the scheme viable. We may also consider allowing at least one market home where this would result in a significant improvement in the housing mix (tenure, type or size) or rent levels. The inclusion of market housing must serve to benefit the rural affordable housing stock and not inflate the "threshold land value". This is the minimum land value likely to trigger an owner to sell the land.
- 4.2.53 Land values are generally high across the borough. To ensure that developers take into account the policy requirements of land potentially suitable for rural exception housing, where a developer proposes that at least one market house needs to be included to make the rural exception scheme viable, we will require submission of a development appraisal. In considering this, we will limit the threshold land value of the site to no more than ten times the agricultural land value at the time. Where agreement cannot be reached, external consultants will be appointed at the developer's cost to provide an independent assessment of the scheme's viability. Any market housing must improve the mix of market housing in the village, and must be integrated into the rural exception development.
- ~~4.2.54 To ensure that the housing is secured permanently to meet local affordable housing needs, we will require the affordable housing provider to enter into a planning obligation with cascade provisions. This requires the housing to be allocated to people with a local connection to the parish (through residence, employment or close family), followed by those with a local connection to adjacent parishes within the borough who meet the criteria, and finally those with a connection to the borough of Guildford in accordance with its published scheme Guildford Homechoice (or equivalent scheme).~~

# LOCAL PLAN EXAMINATIONS CAMBRIDGE CITY and SOUTH CAMBRIDGESHIRE

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30 March 2017

Mrs C Hunt  
Planning Policy Manager  
South Cambridgeshire District Council

Copy to:  
Joanna Gilbert-Wooldridge  
Acting Planning Policy Manager  
Cambridge City Council

Dear Mrs Hunt

## **South Cambridgeshire District Local Plan Examination Gypsy and Traveller Accommodation Assessment**

The following has been provided by the Inspectors for the Council:

I have now had an opportunity to study the new GTAA (RD/Strat/221) and the Further Proposed modifications (RD/FM/010). There are some initial questions that I wish to raise with the Councils.

Whilst the GTAA sought to engage with the local gypsy and traveller population there is nothing before me to indicate that this new evidence and the further modifications based upon it have been subject to any form of consultation. I am aware that I have advised that there should be only one further round of formal consultation on main modifications, this does not preclude less formal consultation and engagement with key stakeholders, when significant new evidence is prepared. Given the very substantial changes that the Council is proposing to Policy H/19, I am concerned that parties with a legitimate interest have not been consulted at all, and this may lead to an extended examination. As you may be aware, I have received correspondence from Mr Michael Hargreaves, who made representations to this policy at publication stage, relating to the GTAA, to which I have replied, in so far as it raises procedural issues. I suggested that he should approach you with a view to preparing a statement of common/uncommon ground in relation to the GTAA, but I do not know whether he has approached you or whether any progress has been made.

Nonetheless, there are certain concerns that I have identified which I would like you to address as follows:

Following the enactment of section 124 of the *Housing and Planning Act 2016* the assessment of the needs of travellers must be seen in the wider context of the provision of sites on which caravans can be stationed. Section 124 of this Act amends section 8 of the *Housing Act 1985* and requires each local housing authority in England to consider the needs of people residing in or resorting to their district with respect to the provision of:

- (a) sites on which caravans can be stationed, or
- (b) places on inland waterways where houseboats can be moored.

The section also removed section 225 of the Housing Act 2004 which referred to local authorities carrying out a review under section 8 of the Housing Act 1985 specifically assessing the accommodation needs of gypsies

and travellers in their area. DCLG has published the *Draft guidance to local housing authorities on the periodical review of housing needs - Caravans and Houseboats* (11 March 2016).

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/507289/clause\\_115\\_draft\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507289/clause_115_draft_guidance.pdf) The 2007 Guidance on GTAA's has been withdrawn.

In the above context, will your assessment of the needs for traveller sites be a sub-set of the needs assessment for caravan sites generally and form part of the overall assessment of housing needs in a SHMA?

Further Proposed Modifications (p49 of RD/FM/010) states that with respect to travellers who do not meet the new definition the Council *will assess and plan to meet their needs as part of its wider responsibilities to plan to meet the accommodation needs of the settled communities.*

What steps is the Council taking to address this matter? How does it envisage this need being met? Is further evidence or Further Suggested Modifications likely to be submitted on this matter?

The new GTAA (RD/Strat/221, Fig52) identifies 70 households not meeting the new definition and 170 unknowns of which it suggests only 10 might meet the definition. Assuming for the moment that the GTAA is correct in its assumptions, it identifies a substantial base population of caravan-dwelling households (up to 240) which is likely to give rise to additional needs in the future for additional pitches for caravan dwellers.

The GTAA (eg paragraph 3.20) highlights, among other matters, that some of those who fall outside the new definition may be able to demonstrate a right to culturally appropriate accommodation, which is likely to be caravans. More generally the Council is now required by the Housing Act as amended, to assess the need for provision of sites on which caravans can be sited.

Given the above and the very large number of "unknown" households identified in the GTAA, I am concerned that planning for the very small numbers identified as currently coming within the new definition without identifying provision for those persons who fall outside the PPTS definition who have a need to reside in caravans may not represent a sound approach in South Cambridgeshire. There would also be Human Rights and Public Sector Equality Duty implications in adopting a plan which fails to meet the needs of those persons who no longer fall within the PPTS definition but who are in need of a caravan site, in particular those persons who are also Romany Gypsies, Irish Travellers, elderly and disabled.

I would be grateful to receive a response from you indicating how you intend to address these soundness concerns together with an indication of the likely timescale for any further work.

I note that the number of gypsy and traveller households and/or caravan dwellers identified in Cambridge City in the GTAA is much smaller (2) and therefore unlikely to raise the same level of concern in relation to soundness. I am, however, copying this letter to the City Council, as the requirement to consider the needs of caravan dwellers applies to all local authorities and I am inviting them to provide me with a brief account of how they consider this has been met in the Local Plan.

Laura Graham  
Inspector

I look forward to your response in due course.

Kind regards

Gloria Alexander  
Programme Officer

Hull Local Plan: Proposed Main Modifications. Gypsy and Traveller Policy to include those who do not meet the new planning definition.

			<u>The recently completed Gypsy and Traveller Accommodation Needs Assessment (GATANA) (2017) has taken account of the revised national planning definition of Gypsies, Travellers and Travelling Showpeople, which now excludes those who have ceased travelling permanently (Planning Policy for Traveller Sites (PPTS), DCLG 2015). The GATANA indicated a need in Hull for 15 pitches over the 2016-32 period, with only 3 of these meeting the new PPTS definition. The analysis identified the need over different time bands within the 2016-32 plan period, for both Travellers who do, and those who do not, meet the new definition, as shown in Table 5.B.</u>
MM 5.36	Para 5.43	MIQ6	After para 5.43 add second new para:  <u>Regarding the 3 permanent pitches needed under the new PPTS definition, the study concluded that it would be unlikely to be viable for the Council to meet this need through provision of a new site (due to the small scale shown to be necessary). Instead, it recommended the Council investigate the possibility of expanding provision on existing sites. Only 1 new permanent pitch is required in the next 5 years (2016-21) and it is likely this can be accommodated within an existing site.</u>
MM 5.37	Para 5.43	MIQ6	After para 5.43 add third new para:  <u>Regarding the 12 pitches needed by non-PPTS Travellers, the study indicated that only around half of this need in fact is likely to be for pitches with half preferring "bricks and mortar" accommodation (i.e. a house). Therefore it is assumed that the demand will be for approximately 2 pitches in each of the periods 2016-21, 2021-26 and 2026-32, totalling 6 pitches over the plan period. There is potential for small-scale expansion of existing sites and the Council is currently investigating land adjacent to existing sites to accommodate the 2 non-PPTS pitches required in the next 5 years.</u>
MM 5.38	Para 5.43	MIQ6	After para 5.43 add fourth new para:  <u>The total need for pitches by both Travellers who meet the PPTS definition and those who do not is therefore 9 over the plan period, comprising 3 in each 5-year period. The Council will seek suitable sites either adjacent to existing sites or in Flood Risk zones 1 and 2 to accommodate the 6 pitches required in years 6-16 of the plan. As a significant landowner in the city, it is likely that these will be delivered on Council-owned sites.</u>

Key is MM 5.38 reproduced again below:

After para 5.43 add fourth new para:

The total need for pitches by both Travellers who meet the PPTS definition and those who do not is therefore 9 over the plan period, comprising 3 in each 5-year period. The Council will seek suitable sites either adjacent to existing sites or in Flood Risk zones 1 and 2 to accommodate the 6 pitches required in years 6-16 of the plan. As a significant landowner in the city, it is likely that these will be delivered on Council-owned sites.



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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	Mr
First Name	
Last Name	Burns
Organisation <i>(Where relevant)</i>	
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Peter
Last Name	Le Grys
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

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**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does It comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To consider relationship of scheme to settlement and neighbouring development recently approved

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

The site shown on the attached plan should be considered as suitable for residential development. Planning permission has recently been granted for development of this site for 5 dwellings and on the adjoining land for 8 dwellings.

Thorpe le Soken is a large village which is classed as a key rural settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This approach is evident within recent decisions such as on the land off Landermere Road and very recent appeal decision for St. Michaels Road. This site is within an enclave known as Thorpe Green, which was included within its own settlement boundary as shown on the 2012 and 2014 draft local plans.

The village has a range of full services within the settlement including shops, post office and two public houses which are situated in the centre of the village. The village is also served by a regular bus routes. Within the immediate vicinity of the site is a bus stop which provides routes to Clacton-on-Sea, Harwich as well as Colchester. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

The site therefore forms a logical small development site on the edge of a settlement which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable. The allocation of this site will not extend development beyond the public perception of the village limits in the locality. As such it will not be detrimental to the character and appearance of the surrounding countryside.

The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to

employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Thorpe Horseboxes"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

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Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

Failure to consider sustainable development in an appropriate location.

See attached

*Continue onto next page*

[Empty rectangular box for representation]

**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

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**Colchester: Return by 5pm 11th August 2017**

## **Thorpe Horseboxes, Thorpe le Soken**

The site shown as A on the attached plan has an extant planning permission for the development of four dwellings. Site B has permission for use for B1 & B8 purposes. These permissions should therefore be recognised as part of the development at Thorpe Green which was included within its own settlement boundary as shown on the 2012 and 2014 draft local plans.

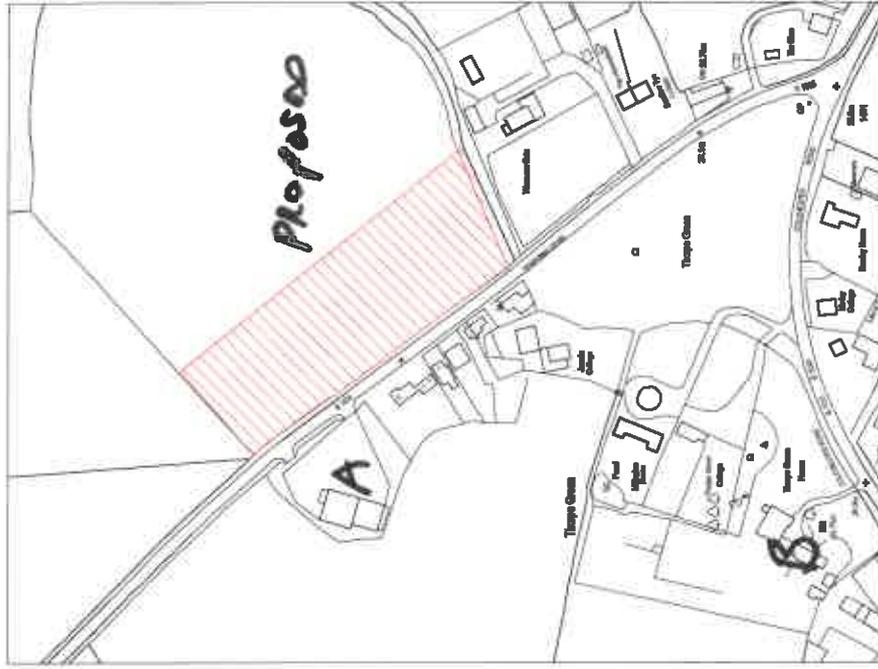
Thorpe le Soken is a large village which is classed as a key rural settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This approach is evident within recent decisions such as on the land off Landermere Road and very recent appeal decision for St. Michaels Road.

The village has a range of full services within the settlement including shops, post office and two public houses which are situated in the centre of the village. The village is also served by a regular bus routes. Within the immediate vicinity of the site is a bus stop which provides routes to Clacton-on-Sea, Harwich as well as Colchester. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

The site therefore forms a logical small development site on the edge of a settlement which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable. The allocation of this site will not extend development beyond the public perception of the village limits in the locality. As such it will not be detrimental to the character and appearance of the surrounding countryside.

The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



Location Plan 1:1250



REV	Date	Description

These drawings are prepared in accordance with the 1:2500 scale and are not to be used for any other purpose. The client is responsible for ensuring that the drawings are used for the intended purpose.



**JUNCTION VISIBILITY SPLAYS HAVE BEEN ASCERTAINED FROM OS DATA. HIGHWAY LAND OWNERSHIP AND SERVICE POSITIONS SHOULD BE CHECKED**

Client	Project Name	Location
MDL	Land adjacent Trapezium House Extension	Trapezium House, Trapezium House
Date	20/03/2017	Scale 1:1250
Author	JAV	Drawn By
Checked	JAV	Issue No.
Project No.	10000000000000000000	



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## Draft Local Plan

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Title	Mr
First Name	
Last Name	Curtis
Organisation (Where relevant)	
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Peter
Last Name	Le Grys
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
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- Yes     No

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- Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

- Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

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Amend settlement boundary

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Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To consider relationship of scheme to settlement and neighbouring development recently approved

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**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**

## **Land off Mill Street, Thorpe le Soken**

The site is currently occupied by the substantial remains of a dwelling and outbuildings. It is located immediately adjacent to the village settlement boundary and alongside the recent cottage development off the High Street.

Thorpe le Soken is a large village which is classed as a key rural settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This approach is evident within recent decisions such as on the land off Landermere Road and very recent appeal decision for St. Michaels Road.

The village has a range of full services within the settlement including shops, post office and two public houses which are situated in the centre of the village. The village is also served by a regular bus routes. Within the immediate vicinity of the site is a bus stop which provides routes to Clacton-on-Sea, Harwich as well as Colchester. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

The site therefore forms a logical small brownfield development site on the edge of a settlement which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable. The allocation of this site will not extend development beyond the public perception of the village limits in the locality. As such it will not be detrimental to the character and appearance of the surrounding countryside.

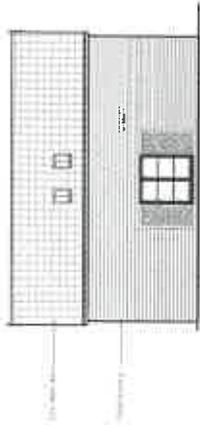
The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to

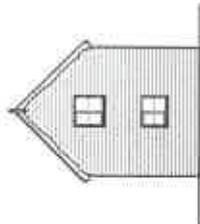
**employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**

DO NOT SCALE

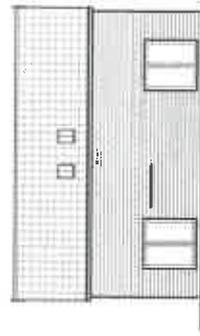
IF IN DOUBT ASK



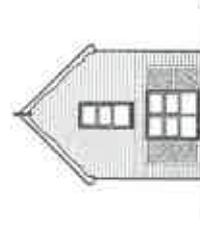
East elevation



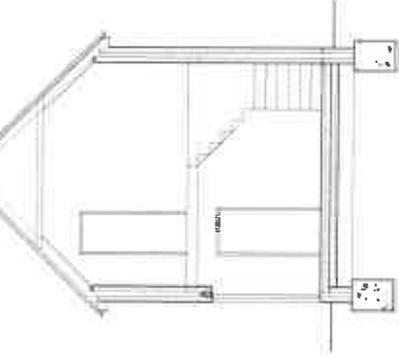
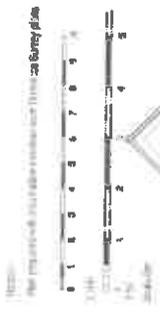
North elevation



West elevation



South elevation

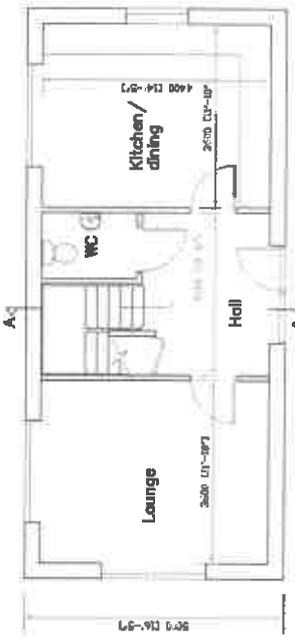


SECTION A-A 1:50

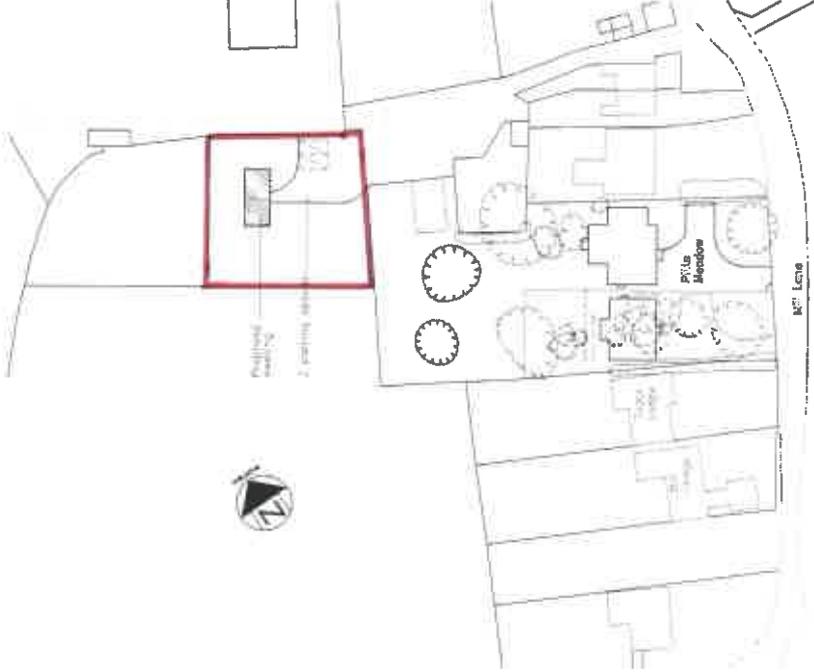
ELEVATIONS AS PROPOSED 1:100



FIRST FLOOR PLAN AS PROPOSED 1:100



GROUND FLOOR PLAN AS PROPOSED 1:100



BLOCK PLAN 1:500

Revision	Number	Date
Client title	Planning drawing	
Description	Proposed dwelling	
Project	Land West of Mill Lane Thorpe Le Soken Essex	
Client	Mr Curtis	
Drawn by	ZM	Scale no.
Checked by	11/2018	Scale as indicated @ 1:100
Drawing No	CML-01	Revision
		A

**Zoe Manning BSc.**  
 Drawing Services Ltd.  
 143 Connaught Avenue  
 Frinton-on-Sea, Essex,  
 CO13 9AB  
 Tel/Fax: 01255 555555  
 zoe@zoe-manning.co.uk



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Draft Local Plan

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Title	Mr
First Name	S
Last Name	
Organisation <i>(Where relevant)</i>	Pitt
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (If applicable)

Title	Mr
First Name	Peter
Last Name	Le Gry
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
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Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To consider the issues fully for the location of development in Brightlingsea

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Folkards Lane, Brightlingsea**

The site is located immediately adjacent to the settlement boundary of Brightlingsea. It is directly opposite a site for which permission has been granted for residential development off the same lane. This site is in an inconspicuous location to the rear of a substantial housing estate. It is considered to be considerably more sustainable than the proposed allocation off Robinson Road, which would extend into an undeveloped rural and coastal location.

Brightlingsea is classed as a key urban settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. The town has a range of full services within the settlement including shops and employment opportunities which are situated in the centre of the town.

The site therefore forms a logical small development site on the edge of a settlement which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable. The allocation of this site will not extend development beyond the public perception of the village limits in the locality. As such it will not be detrimental to the character and appearance of the surrounding countryside.

The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the town to help sustain local services and amenities.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and

**improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**





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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="R"/>
Last Name	<input type="text" value="Brooks"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (If applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

# PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

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**Enter your full representation here:**

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Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

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**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To fully examine the approach adopted by the Council towards development in Mistley & Lawford

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

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Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Land west Of Trinity Road, Mistley**

The objector's site is privately owned scrub land that serves no value or useful purpose for local residents other than providing a view from a limited number of viewpoints. The land can be secured with no means of access or benefit to the community. This proposal on behalf of Mr Brooks involves 8.82 hectares (21.8 acres) of scrub land which lies between Long Road and Trinity Road. The scheme proposes the development of 2.4 hectares (5.9 acres) for residential purposes with a variety of dwelling types, including 2 bed starter houses and 3 & 4 bed family dwellings. The scheme intends to provide for 40% of the dwellings units for affordable housing purposes available for all sections of the local community. The concurrent scheme for change of use of the adjoining land is for the provision of additional 1.6 hectares (4 acres) of allotments which together with the existing allotments in Trinity Road (0.74 hectares/ 1.82 acres) would be transferred to the leasehold ownership of Mistley Parish Council for a peppercorn rent. The remainder of the site (4.82 hectares / 11.9 acres) would be provided as public open space. A further section of land in the ownership of Affinity Water would also be combined for such purposes.

The site has been the subject of a considerable number of representations and proposals put forward over the past 30 years as part of the Council's Local Plan and Development Plan process. Prior to the adoption of the current District Local Plan in 2007, the application site and adjoining land was shown in the earlier adopted Development Plan to be allocated for public open space purposes. In the absence of any scheme by the Council to acquire this land for such purposes, the site was instead shown within an area designated as a 'Local Green Gap'. The Planning Inspector's who undertook the examination of the Local Plan concluded in his report at paragraph 0.31 that :-

'The reference above to policy EN2 (Local Green Gaps) is included only after much reflection and soul-searching. This restrictive policy has been criticised by several objectors both in principle, and in its application to particular areas of undeveloped land. Nevertheless, for reasons I give elsewhere (chapter 6) I have decided to retain it in the Plan, albeit in a modified form.'

The adopted Local Plan therefore shows the site as being outside the settlement boundary for Mistley / Lawford and within an area designated as a Local Green Gap subject to policy EN2 of the Plan. The Plan considers that the primary purpose and function of these gaps is to maintain separation between the main urban areas of the District. It is suggested that by conserving the countryside between residential settlements, local green gap policies will preserve the open character of these important breaks between settlements. This approach is stated as being able to maintain the individual character and landscape setting of towns, villages and neighbourhoods. It is indicated that the Council will encourage the enhancement and improvement of public rights of way and existing leisure and recreational facilities, although it is not explained how this will be achieved. Policy EN2 therefore states:-

During the Plan period, land within Local Green Gaps, as defined on the Proposals Map, will be kept open, and essentially free of development. This is to prevent the coalescence of settlements, and to protect their rural settings. Minor development proposals may be permitted if they do no harm, individually or collectively, to the purposes of a Local Green Gap or to its open character. These may include the improvement of existing leisure and recreational facilities, and development for agricultural purposes. In Local Green Gaps, where resources and opportunities permit the Council will encourage the improvement of public rights of way.

In respect of the Lawford / Manningtree / Mistley area, the gap has been stated as being necessary to

- Safeguard the open character of the important breaks between these settlements and between separate neighbourhoods;
- Preserve the attractive views from these settlements towards the Stour Estuary and Dedham Vale;
- Maintain the individual character of these settlements and their separate neighbourhoods;
- Prevent incremental coalescence between these settlements; and
- Prevent further ribbon development west of Lawford.

The scheme submitted on behalf of Mr Brooks is therefore proposing that an area of public open space amounting to 4.82 hectares (11.91 acres) be transferred to the District Council (or Parish Council if desired). How this open space would be laid out or used would be entirely up to the parish Council i.e. whether play equipment is installed on a formal playground or the entire site is used for informal recreation. The cost of acquiring this land by the Council is indicated (at 2008 prices) as being £195,000.

With regard to the proposal on behalf of Veolia Water East Ltd, the owner is prepared to convey at no cost an area of open space extending to 0.55 hectares (1.35 acres) to the District or Parish Council. The cost of acquiring this land would be based on the above figures, be £22,200 at 2008 prices.

A Landscape Impact Assessment has also been prepared for the site which takes into account the Landscape Character Assessments undertaken by Land Use Consultants in 2001 and the subsequent Landscape Character Assessment of the Essex Coast 2005, including the detailed maps attached to the Tendring coastline section. These reports acknowledge that the area which comprises the Stour Valley forms a setting to one of the most important wildlife estuaries in the country, while the slopes form the setting for and views to and from the Suffolk Coasts and heaths AONB. The landscape is described generally as one of leafy lanes and steep wooded sides. Built development in the ports of Manningtree and Mistley has a distinctive character featuring large red brick buildings, lime plastered and colour rendered facades with steeply pitched clay tiled roofs.

The site and related land is steeply sloping and undulating although fails to contain any trees of note. The geology comprises London Clay with occasional claygate and head deposits. The application site area is not characterised by any distinctive field pattern or features, but represents a significant area of open space upon which other development has intruded upon. It is of scrub land which has become unkempt through any direct land management activities for the past 20 years. Unofficial trespass by local residents using the land as informal open space has kept down some of the vegetation, but the land has overall an air of neglect.

The view from Long Road to the north represents the most interesting aspect. Views of the River Stour are just available from one particular spot. Otherwise, the longer distance views towards Colchester Road, south towards Long Road and east towards Trinity Road draw attention only to suburban housing that contribute little to the overall character of the area. The 2001 report indicates that the gap between Manningtree and Mistley should be preserved, but fails to acknowledge how this can be achieved in terms of landscape maintenance and the threat of further development proposals in the future.

Otherwise, the principal components of the 2001 LCA have been addressed; the retention of the key view from Long Road towards the north, the avoidance of mass produced housing,

designs taking precedent from existing forms with a variation of building heights and the long term future of the open gap being secured.

In conclusion, it is considered that the value of the site at present is limited to the few local dog walkers who trespass the site. It is rather overshadowed by neighbouring housing and the gap between Lawford and Mistley is rather overstated. Considerable opportunities exist for mitigation of the neglected and damaged landscape, with the establishment of new field boundaries, enhancement of the footpath routes and the long term restoration of the pond, ensuring that the termination of the built environment for the all three parishes is handled in an appropriate and respectful manner.

This site is considered to be far more suitable for residential development than the suggested allocation sites and those recently granted permission by the Council in the Lawford, Manningtree, Mistley areas, particularly the housing to the south of Long Road which bears no relationship to the pattern or character of housing within the locality.

It is considered that the proposal will meet the requirements of the NPPF, particularly those comments within paragraph 14 in respect of a positive opportunity to meet the development needs of an area. Furthermore, the allocation of this site will accord with the core planning principles as set out within paragraph 17 by ensuring that a scheme enhances and improves the place in which people live their lives. The proposal will not only be sustainable, it is also achievable and deliverable as required by paragraphs 47 and 49 of the NPPF.



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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Affinity Water"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
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Post Code	<input type="text" value="CO4 9HU"/>
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**Colchester: Return by 5pm 11th August 2017**

## **Land off Colchester Road. Lawford**

The site extends to 0.55 hectares and comprises of a field which in part has been used by the objector as part of their operational land for the provision of a water supply to north Essex. The land is level to the east where it adjoins Colchester Road, but the remainder slopes steeply to the east and northeast. The easternmost boundary features a small stream that adjoins the land within the related Trinity Park site. To the northeast is a small pond which relates to Affinity's premises located further to the north off Mill Road. There are no public footpaths across or immediately adjacent to the site. The land is enclosed by security fencing.

The land serves no value or useful purpose for local residents other than providing a view from a limited number of viewpoints. The land can be secured with no means of access or benefit to the community.

The site has been the subject of a considerable number of representations and proposals put forward over the past 30 years as part of the Council's Local Plan and Development Plan process. Prior to the adoption of the current District Local Plan in 2007, the application site and adjoining land was shown in the earlier adopted Development Plan to be allocated for public open space purposes. In the absence of any scheme by the Council to acquire this land for such purposes, the site was instead shown within an area designated as a 'Local Green Gap'. The Planning Inspector's who undertook the examination of the Local Plan concluded in his report at paragraph 0.31 that :-

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With regard to the proposal on behalf of Affinity, the owner is prepared to convey at no cost an area of open space extending to 0.55 hectares (1.35 acres) to the District or Parish Council. The cost of acquiring this land would be based on the above figures, be £22,200 at 2008 prices.

A Landscape Impact Assessment has also been prepared for the site which takes into account the Landscape Character Assessments undertaken by Land Use Consultants in 2001 and the subsequent Landscape Character Assessment of the Essex Coast 2005, including the detailed maps attached to the Tendring coastline section. These reports acknowledge that the area which comprises the Stour Valley forms a setting to one of the most important wildlife estuaries in the country, while the slopes form the setting for and views to and from the Suffolk Coasts and heaths AONB. The landscape is described generally as one of leafy lanes and steep wooded sides. Built development in the ports of Manningtree and Mistley has a distinctive character featuring large red brick buildings, lime plastered and colour rendered facades with steeply pitched clay tiled roofs.

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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Silverton Aggregates"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

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Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
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To fully examine the approach adopted by the Council towards starter homes

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**Colchester: Return by 5pm 11th August 2017**

## **112 - 118 Oxford Road, Clacton-on-Sea**

Policy PP6 is considered to be ambiguous and unreasonable in the form suggested seeking to protect sites without a clear understanding of the issues that apply to each of these sites. The site subject of this objection is located to the south east side of Oxford Road. The premises comprise of a two-storey, flat roofed warehouse unit with a pitched roofed rearward projection which is currently occupied by Silvertown Aggregates, a company specialising in the storage and sale of sand, gravel and other similar ground surfacing materials. The southern part of the site is enclosed by a 2 metre high palisade fence and is used for the open storage of aggregates and other building materials.

Oxford Road comprises of a mix of commercial/warehouse units, car repairs and sales, tool hire, sign makers, offices and tile suppliers etc. and falls in the B1 (a, b and c), B2 and B8 Use Classes Order. Residential development has been granted permission in recent years to the southern part of Oxford Road, with No. 62-64 Oxford Road being the most recent (references: 07/00991/OUT, 08/00712/DETAIL and 09/01072/FUL).

The NPPF sets out the core planning principles which should underpin the planning decision-making process. The core principles that are pertinent to this case is that planning should either:-

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value; and
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and

- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

It is envisaged that the development of this site would comprise of 1 and 2 bedroom starter houses and/or flats and the buildings will be no more than three-storey in height. The height of the development would be comparable with the newly constructed housing development at No. 62-64 Oxford Road.

It is considered that smaller commercial units could be provided at ground floor level in part that would provide an active frontage to Oxford Road and encourage employment opportunities within an area which is designated as an 'employment site'. Further, commercial units would be beneficial to the local community considering the site's close proximity to existing residential properties on Valley Road.

It is noted that GVA Grimley Ltd were commissioned in 2010 by the Council to undertake a 'Stage 2' Employment Land Study to inform their evidence base underpinning the key elements of the Council's emerging Local Plan. The Stage 2 ELS includes a critical appraisal / review of the existing employment land supply in the District compared to forecast needs over the plan period. The Stage 1 ELS identified a requirement for 15.5 ha of B Class employment land for the District between 2006 and 2026. This is split into 12.1 ha of demand for office uses with the remaining 3.4 ha in industrial and warehousing uses. In respect of Clacton, the supply of allocated B Class employment land was shown to be more suitable for office development. This is in line with economic forecasts which predict growth in office land and decline in industrial and warehousing land. There is industrial availability within the market area, and this is strongly aligned with the existing industrial activity primarily around Gorse Lane Industrial Estate. This supply was considered appropriate to meeting local need. Further to this the employment potential within Clacton is heavily linked to the wider residential growth aspirations for the town including a significant scale of housing development within the emerging Local Plan.

The principal results coming from the Employment Study noted that the vast majority of new jobs in Tendring are likely to come from the service sectors including retail, leisure and

tourism, health, social care and education. This growth would primarily be driven by regeneration in the district's town centres, a more positive and inventive approach to tourism and the increase in resident population brought about by new housing and mixed-use development; Higher-tech and higher paid jobs in the office sector could come forward through the provision of high-quality office developments in the district; The industrial and warehousing sector is likely to see a decline which reflects both national trends and the very specific locational requirements of businesses in this sector.

Nevertheless, the Council recognised that there was a limited supply of sites for 'bad neighbour' type uses that often required a significant land area particularly where open storage activities were involved or the storage of a large number of vehicles. For this reason, planning permission was obtained by Robinson & Hall LLP in January 2012 (reference: 12/00026/OUT) on behalf of a local landowner for an extension to the Gorse Lane Industrial Estate involving 6.96 hectares (7.3 acres) to the north of Telford Road, Clacton-on-Sea. This approval has therefore secured sufficient employment sites for the town. As the Telford Road site is in an extremely accessible location and primarily offers land at a competitive rate for storage (B8) operations, the land owner of the site is in advanced negotiations to relocate their existing business. With modern facilities and additional land that would be available to the applicant upon the new industrial estate, the current occupier does not consider it to be appropriate or viable to modernise or upgrade the existing sub-standard buildings.

The site owned and operated by Silverton Aggregates clearly falls into the category of an under-utilized site, located close to the town centre and railway station, on a bus route and within walking distance of all local facilities. Residential properties are found immediately to the west within the immediate hinterland, while other former commercial sites along Oxford Road have seen redevelopment for housing purposes. The current business is inefficient in land use terms as it primarily involves the open storage of aggregates and building materials serving the building trade that has no justification in occupying a fringe town centre location. All vehicle movements are of a commercial nature, involving substantial HGV's into and around a residential environment, often through Great Clacton or Holland-on-Sea. Noise and dust are difficult to control while planning permission has previously been granted for a waste transfer facility and weighbridge. The premises themselves are also outdated. The company is extremely reluctant to spend money on improving a site which only has limited capacity to meet modern commercial expectations. The need to find alternative premises is therefore essential, although the capital to fund such an enterprise still remains considerable and which can only be achieved through a largely residential development. A direct

consequence of any relocation would be first to safeguard those existing jobs and secondly enable the company to expand and develop in line with the market for the 21<sup>st</sup> Century.

The site is considered to be in a highly sustainable location. Local facilities and services are within walking distances and a comfortable distance where they can be cycled to. The site is also in close proximity to bus stops into town and to the Gorse Lane Industrial Estate. Clacton railway station is also a short distance away with regular train services to Frinton/Walton, Colchester and London. On the basis of the above, it is considered that the application site is within a location where future occupiers would have access to local community facilities as well as access to employment opportunities through public transport links.

To date we have experienced the Council's rather unhelpful approach to preventing the re-use and redevelopment of the site for residential purposes where their existing use has become inappropriate or redundant through the demands and needs of the business community in the 21<sup>st</sup> Century. The approach suggested within draft Policy PP6 maintains this resistance to change, requiring excessive and unnecessary barriers to be overcome, often far beyond a proportionate response to seeking the retention of employment land. It is suggested at the very least that the policy should be better defined. In this instance the site could be better used for providing starter homes in accordance with the government's initiative, providing a material benefit for the younger population of the town.



**abs**  
 Architectural  
 Building  
 Services  
 (Essex) Ltd



Valley Barns, Golden Lane  
 Thorpe Le Soken, Essex, CO16 0LE  
 Tel - 01255 861727  
 Fax - 01255 861737  
 Email - absessexltd@btconnect.com

Project: Change of use to form new  
 Waste Transfer Station,  
 Chaston Business Centre, 112  
 Oxford Road, Clacton, Essex

Drawing: Site Location Plan  
 Planning Submission

Scale: 1:1250      Date: Sept 2012      Drawing no.: 844-30



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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="O'Dell"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

# PART B

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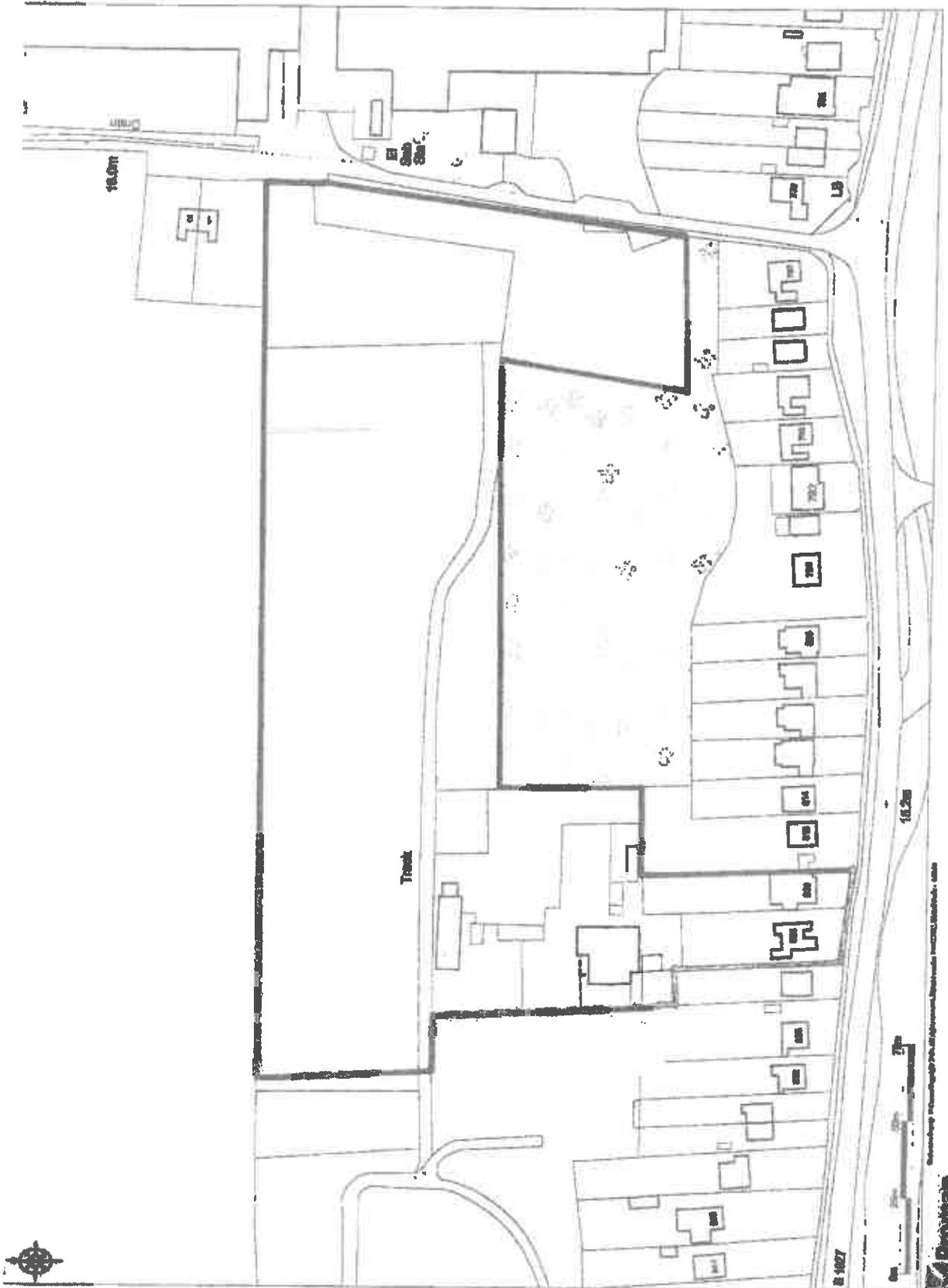
**Colchester: Return by 5pm 11th August 2017**

## **St John's Road, Clacton-on-Sea**

The site as shown on the attached plan is a rectangular piece of land located to the rear of properties fronting St John's Road and to the east of the Leisureglades Holiday Park, which is in the same ownership. This site is shown within the development settlement limits for Clacton-on-Sea on the proposed plan.

Following a recent appeal decision to grant planning permission for 14 dwellings at 824 St John's Road (14/00929/OUT), the owner of the site now proposed has secured an option to acquire this land and an adjoining property in order to provide access to the land at the rear. This arrangement has been the subject of discussions with Essex County Council. A new access road will be capable of serving a development of approximately 84 dwellings. Appropriate contamination and ecology studies have shown no issues for the development of this site.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



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First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	Lord & Hunt
Address Line 1	c/o agent
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Peter
Last Name	Le Gry
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

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**Colchester: Return by 5pm 11th August 2017**

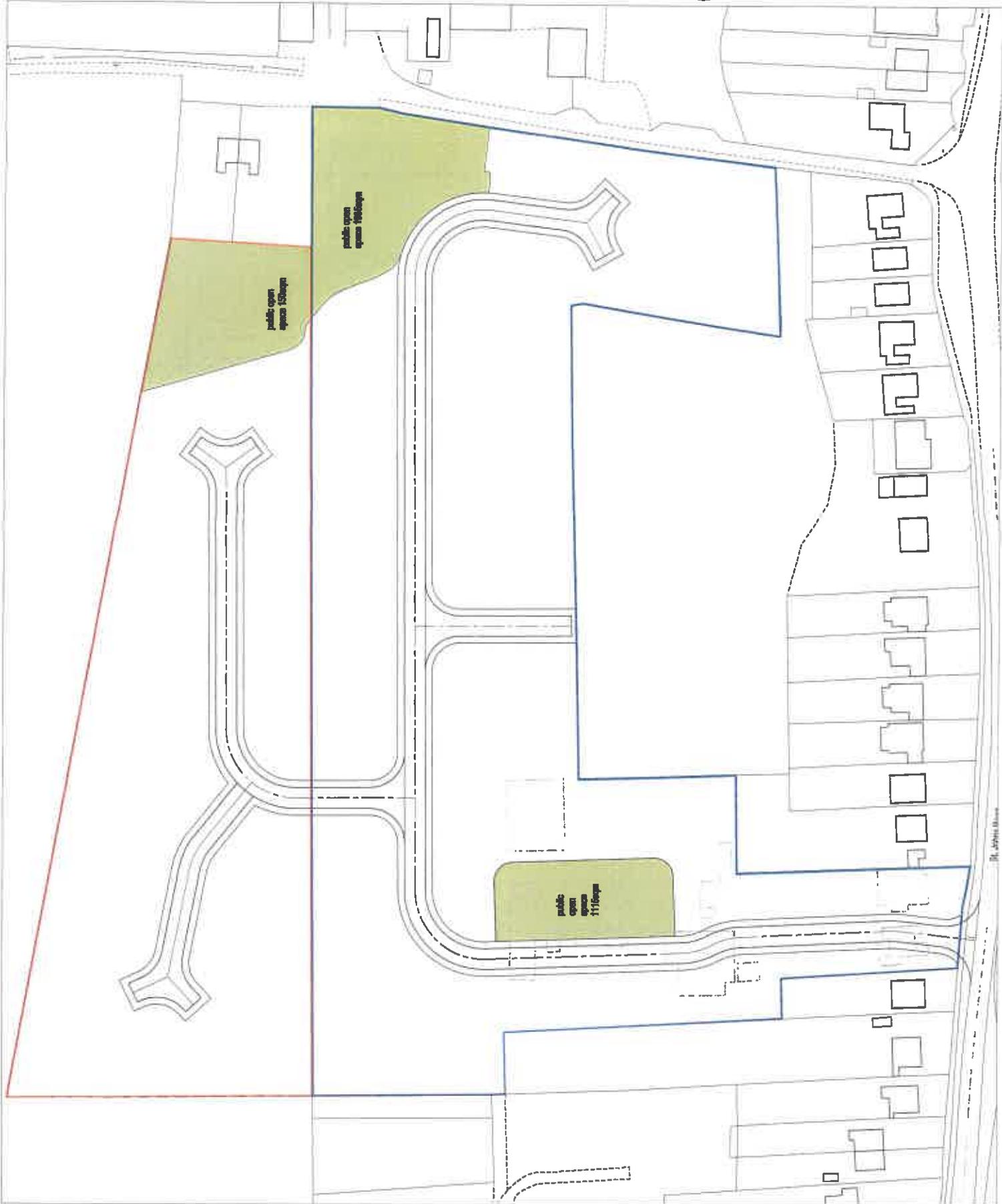
## **North of St John's Road, Clacton-on-Sea**

The site as shown on the attached plan is a triangular shaped piece of land located to the rear of properties fronting St John's Road and to the east of the Leisureglades Holiday Park. It adjoins land shown to be within the development settlement boundary for Clacton-on-Sea

Following a recent appeal decision to grant planning permission for 14 dwellings at 824 St John's Road (14/00929/OUT), the owner of the adjoining site has secured an option to acquire this land and an adjoining property in order to provide access to the land at the rear. This arrangement has been the subject of discussions with Essex County Council. A new access road will be capable of serving a development of approximately 84 dwellings on the neighbouring site and a further 30 dwellings on the suggested site.

Although the land forms part of an agricultural field and would extend the development boundary to the north, it would not be visible from any public viewpoint and would be seen only in direct relationship to the neighbouring scheme or the owners farmhouse. Moreover, it will ensure the viability of the neighbouring project which is having to negotiate various infrastructure costs.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



Revision	Description	Date

# GROW

GROW Design Studio Limited  
 No 1, The Matchbox, London Road  
 Riverhall End, Wilkom, CM9 3HA  
 e: studio@grow.co.uk  
 w: grow.co.uk  
 t: (01376) 572666

**Project:** Proposed residential development  
**Client:** Mr and Mrs Lee  
**Address:** Land near of 765-828 B Johna Road, Chaston on sea  
**Drawing:** Development concept plan  
**Scale:** 1:500 - A1 paper  
**Date:** July 2016  
**Drawn by:** AJ  
**Reviewed:** 0140\_C3\_04

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Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Brown &amp; Meek"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (If applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
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**Colchester: Return by 5pm 11th August 2017**

**This is a combined objection that applies to Policy PPL6 and HP4.**

**This objection is an objection to the allocation of land to the south of Rush Green Road, Clacton-on-Sea.**

**The suggestion in the plan is to provide a limited element of housing on land to the south of Rush Green Road for up to 75 houses, with the remainder to be retained as part of a strategic green gap. To date, the Council has not been able to offer any suggestions as to the use of this land, while providing an arbitrary development limit across the site.**

**It is suggested that the allocation fails to have regard to the circumstances that apply to this land and does not include a realistic and proportionate allocation of land for housing purposes. A development scheme is currently being developed which will provide significant public benefits for the community, subject to at least 3.6 hectares of housing being allocated for up to 100 dwellings. The scheme also includes substantial public benefits through the provision of a new foot ground for FC Clacton together with the provision of other pitches for junior and youth teams. The settlement boundary as proposed is entirely illogical, together with the purpose of the green gap to which draft policies PPL6 and HP4 apply when consider in relation to the public benefits that could be provided.**





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Title	Mr & Mrs
First Name	
Last Name	Cullen
Organisation <i>(Where relevant)</i>	
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Peter
Last Name	Le Gryz
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

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**Colchester: Return by 5pm 11th August 2017**

## **Land east of Seaview Avenue, Little Oakley**

The plan for Little Oakley fails to recognise the planning permission granted for three dwellings on land adjacent to Seaview Avenue. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan to extend the approved development would meet the three tests of sustainability as set out in the NPPF. This land is directly adjacent to the village settlement boundary. By allowing development, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation (Where relevant)	<input type="text" value="Gibbon Farms"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

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Title	<input type="text" value="Mr"/>
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Address Line 1	<input type="text" value="Livestock Market"/>
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e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

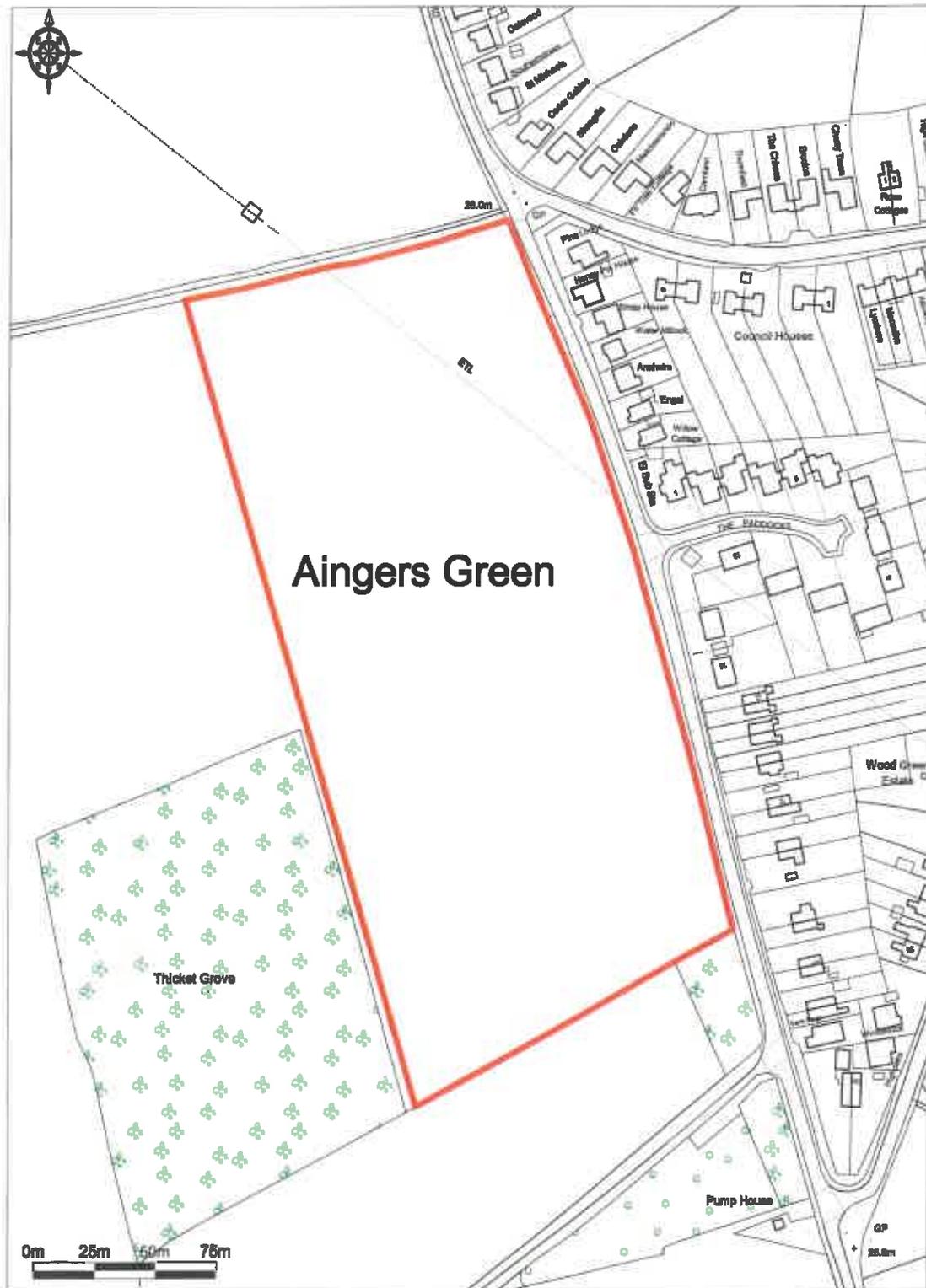
**Colchester: Return by 5pm 11th August 2017**

The Council has failed to recognise that Aingers Green is a settlement in its own right, with a public house, shop and bus services connecting the settlement to Clacton and Colchester. The area is also within a short walking distance to Great Bentley railway station with direct access to London Liverpool Street. The site shown on the attached plan to extend the settlement would meet the three tests of sustainability as set out in the NPPF. This land is directly adjacent to the village settlement boundary as shown in earlier versions of the draft plan. By allowing development, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.

TENDRING DISTRICT COUNCIL  
HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT  
GIBSON FARMS  
LAND EAST OF PLOUGH ROAD, AINGERS GREEN





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## Draft Local Plan

# RESPONSE FORM

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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:

Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Richardson"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

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Yes     No

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**Enter your full representation here:**

*Continue onto next page*

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Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To consider the circumstances of this site and relationship to other approved development

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

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**Colchester: Return by 5pm 11th August 2017**

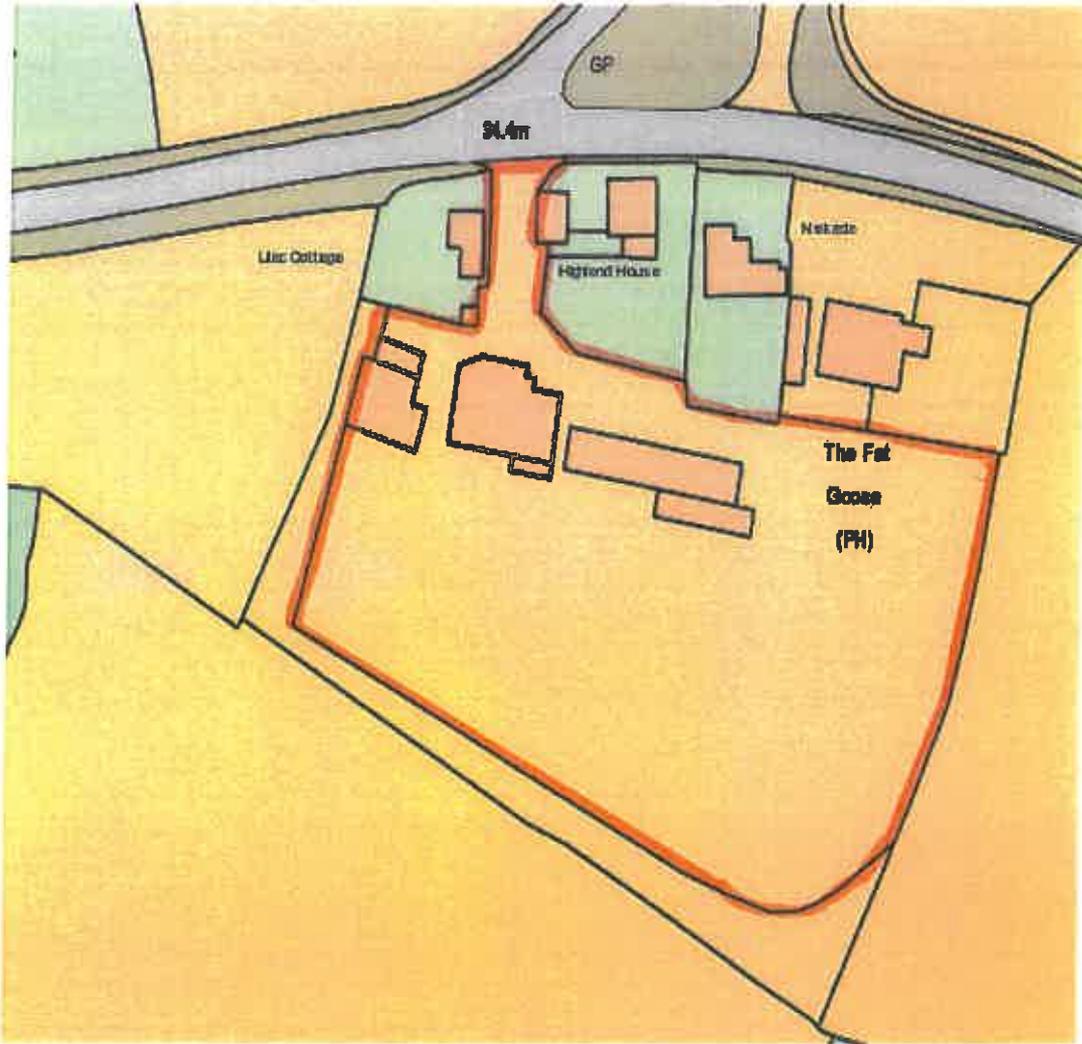
**Tending Green has been accepted on appeal as a sustainable village. The land directly opposite the site was approved on appeal earlier this year for 5 dwellings as being a sustainable development. The settlement is able to accept further development that would be socially and environmentally appropriate.**

**The site shown on the attached plan forms a long established haulage yard and B2 commercial garage. The removal of a non-conforming commercial use and by implication the redevelopment of a brownfield site will improve the character of the area and amenities for local residents. The allocation of this land would therefore meet the three tests of sustainability as set out in the NPPF. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will enable the removal of the existing commercial buildings thereby improving the character and appearance of the site which adjoins the open countryside to the south. Vehicular access to the site can be achieved to meet the County Council visibility splays and this arrangement has been agreed in discussions with that authority. The development would not necessitate the removal of any trees or hedgerow.**

**At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.**

**The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.**

**As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**





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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Fairley &amp; Sons (Farms)"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (If applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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**Braintree & Tendring: Return by 5pm 28th July 2017**

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**Colchester: Return by 5pm 11th August 2017**

## **Wolves Hall Lane, Tendring**

Tendring Heath has been accepted on appeal as a sustainable village. The land directly adjacent the site was approved earlier this year for 5 dwellings as being a sustainable development. The settlement is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan is both adjacent to and opposite development recently approved. The development of this site for up to 5 dwellings would complete the form and nature of the settlement. The allocation of this land would therefore meet the three tests of sustainability as set out in the NPPF. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services. Vehicular access to the site can be achieved to meet the County Council visibility splays and this arrangement has been agreed in discussions with that authority. The development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="A"/>
Last Name	<input type="text" value="Black"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

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Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Pilcox Hall Lane, Tendring**

**Tendring Heath has been accepted on appeal as a sustainable village. The land is adjacent to the settlement and close to a site recently approved for 5 dwellings as being a sustainable development. The settlement is able to accept further development that would be socially and environmentally appropriate.**

**The allocation of this land would therefore meet the three tests of sustainability as set out in the NPPF. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will enable the removal of the existing derelict building thereby improving the character and appearance of the site. Vehicular access to the site can be achieved to meet the County Council visibility splays and this arrangement has been agreed in discussions with that authority. The development would not necessitate the removal of any trees or hedgerow.**

**At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.**

**The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.**

**As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**

Site at Pilcox Hall Lane, Tendring Heath,  
Site Location Plan



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License number 100022452. Plotical Scale - 1:1250

Robnson & Hall LLP Job Ref 45458



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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="D. McNair"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

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[Empty rectangular box for representation]

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Amend settlement boundary

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**Braintree & Tendring: Return by 5pm 28th July 2017**

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**Colchester: Return by 5pm 11th August 2017**

## **Station Road, Bradfield**

Bradfield is regarded as a sustainable village with a number of services and facilities including a village shop, primary school and public house. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land in Station Road would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes due to its small size and awkward shape. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Bradfield is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



**Tendring**  
District Council



**Local Plan**  
COLCHESTER BOROUGH



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Draft Local Plan

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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Garner"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
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**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does It comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **R/O The Laund, Dairy House Lane, Bradfield**

Bradfield is regarded as a sustainable village with a number of services and facilities including a village shop, primary school and public house. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land in Dairy House Lane would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes due to its small size and awkward shape. In recent years it has formed an extension to the garden of the neighbouring properties. It is entirely screened from the open countryside to the south. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Bradfield is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	
First Name	
Last Name	
Organisation <i>(Where relevant)</i>	D. Mitchell Farms
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (If applicable)

Title	Mr
First Name	Peter
Last Name	Le Gry
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

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Amend settlement boundary

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Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**

**Bradfield is regarded as a sustainable village with a number of services and facilities including a village shop, primary school and public house. The village is able to accept further development that would be socially and environmentally appropriate.**

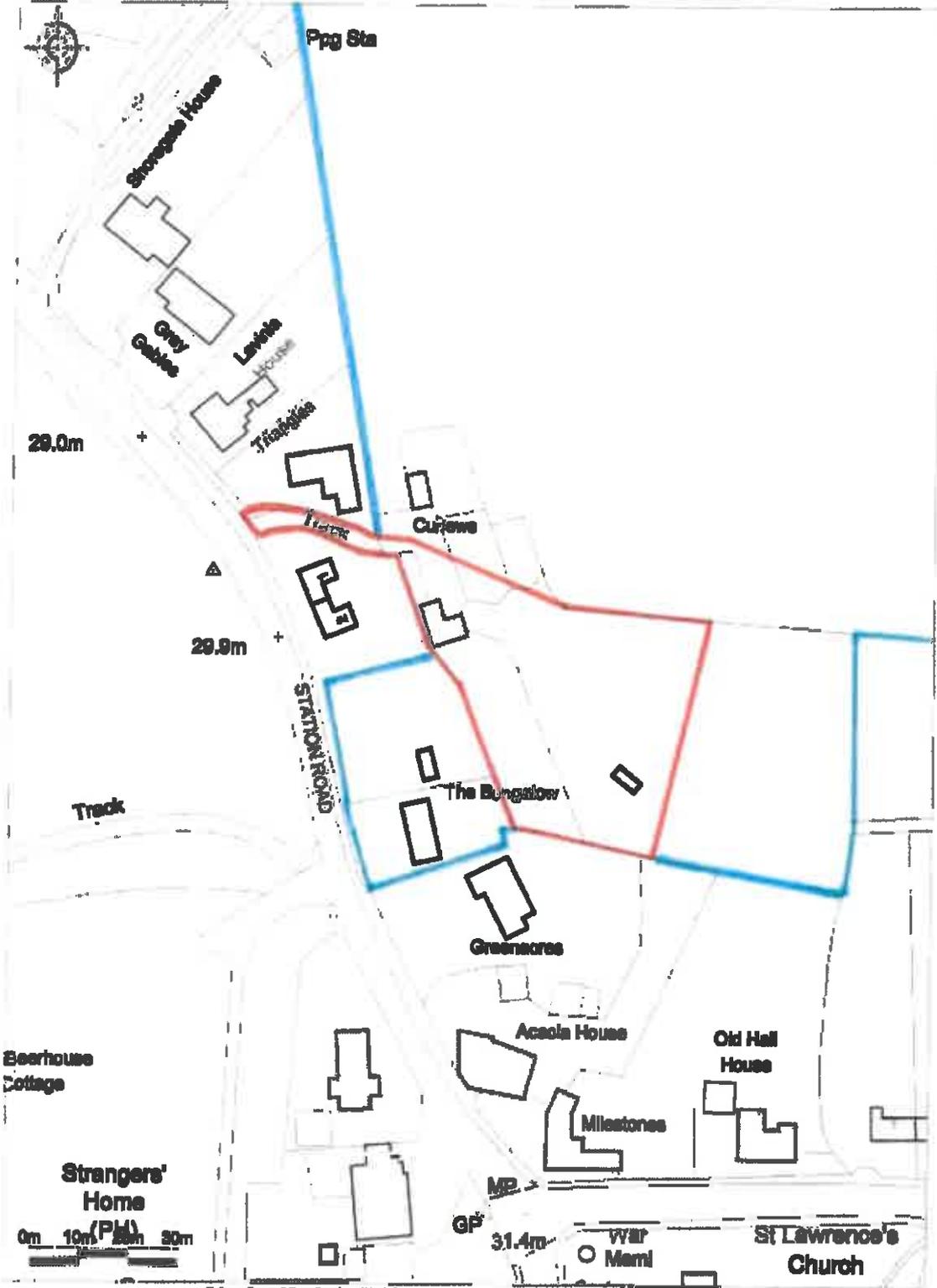
**The site shown on the attached plan affecting land to the east of Station Road would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes due to its awkward shape. In recent years it has been used as a paddock. It is entirely screened from neighbouring properties to the south. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.**

**At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.**

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**The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.**

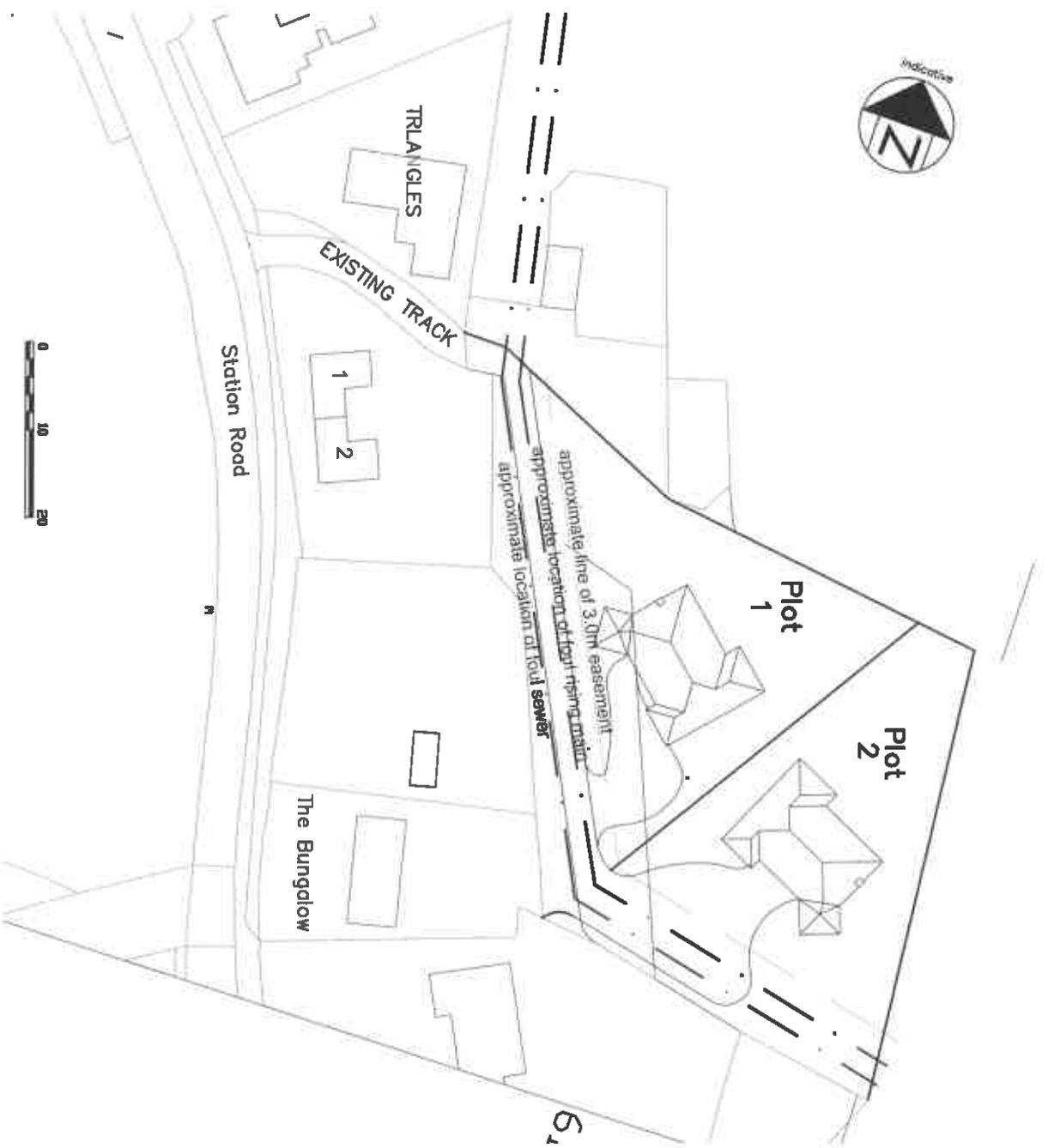
**As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**



**DO NOT SCALE**

**IF IN DOUBT ASK**

Notes:-  
 MEASUREMENTS SHOWN ARE INDICATIVE ONLY - ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCING WORK AND ANY DISCREPANCY REPORTED PLAN PREPARED WITH INFORMATION OBTAINED FROM ORDNANCE SURVEY PLANS



Rev.No	Revision note	Date

<b>Drawing title</b>	<b>Block Plan</b>
<b>Description</b>	<b>Proposed development</b>
<b>Address</b>	<b>Land at rear of 1&amp;2 Station Road, Bradfield, Essex, CO11 2UP</b>
<b>Client</b>	<b>Mr Mitchell</b>

<b>Drawn</b>	<b>ZM</b>	<b>Street no.</b>	
<b>Date</b>	<b>03/2017</b>	<b>Scale</b>	<b>as indicated @ A3</b>
<b>Drawing No</b>	<b>SRB-01</b>	<b>Revision</b>	

**Zoemanning BSc.**  
 Drawing Services Ltd.  
 143 Connaught Avenue  
 Frinton-on-Sea, Essex,  
 CO13 9AB  
 Tel/Fax 01255 676563  
 zmanningdrawing@gmail.com

•BLOCK PLAN 1:500•



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This form has two parts:  
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## PART A

### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="D"/>
Last Name	<input type="text" value="Brasted"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

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**Does it comply with the Duty to Co-operate?**

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**Do you consider the Local Plan is Sound?**

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**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

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**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

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When the Inspectors Report is published?

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**Braintree & Tendring: Return by 5pm 28th July 2017**

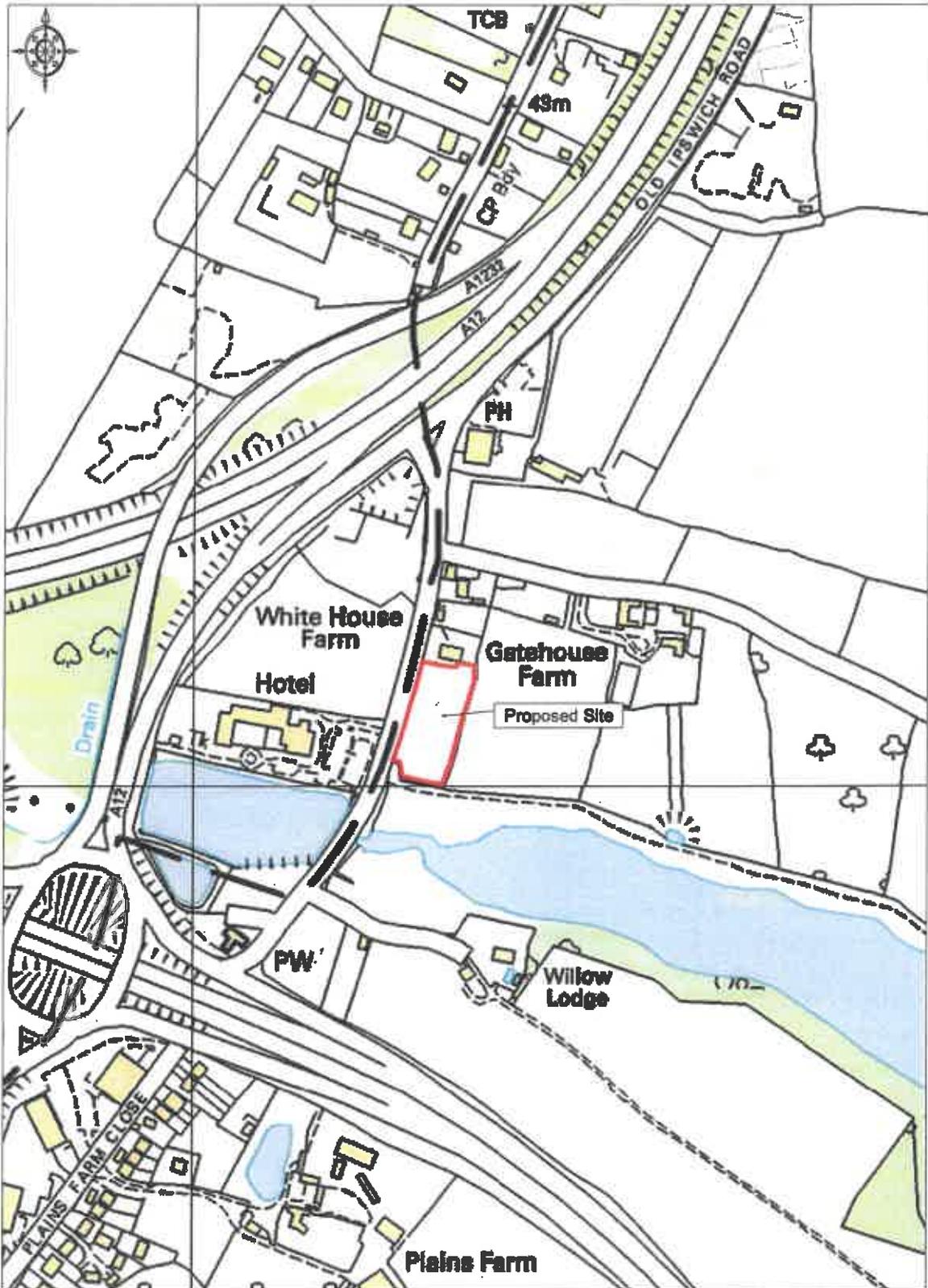
(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

### **Old Ipswich Road, Ardleigh**

**This site should not be excluded from the Colchester Fringe Area. With recent approvals for the golf range site and other commercial development along Old Ipswich Road, a more comprehensive approach should be taken towards commercial development in the locality. The site should be allocated for commercial B1 development purposes having regard to its excellent links to the road network and existing nature of the site itself.**

Land at Old Ipswich Road, Ardleigh



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Draft Local Plan

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Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="T"/>
Last Name	<input type="text" value="Wild"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

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Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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**Enter your full representation here:**

See attached

*Continue onto next page*

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Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To fully consider implications for the implementation of the development

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

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**Colchester: Return by 5pm 11th August 2017**

### **Hartley Gardens, Clacton-on-Sea**

Stanfords represent a consortium of landowners who own land between the junction of St John's Road/Jaywick Lane and Bovill's roundabout, Little Clacton. The commitment of these various landowners can now be shown towards developing a comprehensive residential suburb based on the principles of 'garden' settlements yet ensuring there is a significant and sustained benefit to the wider community of West Clacton.

The allocation of this site within Policy SAMU2 is strongly supported. However, the suggestion that only 1000 dwellings will be developed within the plan period is of considerable concern. The Council require the development of the new by-pass road, for which the funding has been demonstrated in some detail to the authority. This requirement necessitates the development of the entire site during the plan period.

The Council has also been provided with full details of the capacity and works necessary for dealing with foul water, and agreement with Anglian Water to this effect. Such details are not reflected within the local plan.

There is considerable concern with the suggestion that 7 hectares of employment land must be provided. Planning permission has recently been granted for the development of a retail scheme to the west of Brook Park roundabout, including a cinema. This would appear to be sufficient for employment purposes. There is no demonstrable evidence that further commercial development is required within Clacton-on-Sea of the scale suggested. This suggestion appears to have been a last minute consideration of the authority and has not featured in any discussion with the landowners during the past 4 years. The development is to include a new community centre/ medical facility and local shops, thereby meeting demand within the locality.



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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Arbora Homes"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
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Amend settlement boundary

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Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To fully consider the merits of the site in relation to the village and recent approved schemes

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

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**Colchester: Return by 5pm 11th August 2017**

## **Stagecoach Stud, Wix Road, Ramsey**

Ramsey is regarded as a sustainable village with a number of services and facilities including a village shop and public house. The village is able to accept further development that would be socially and environmentally appropriate.

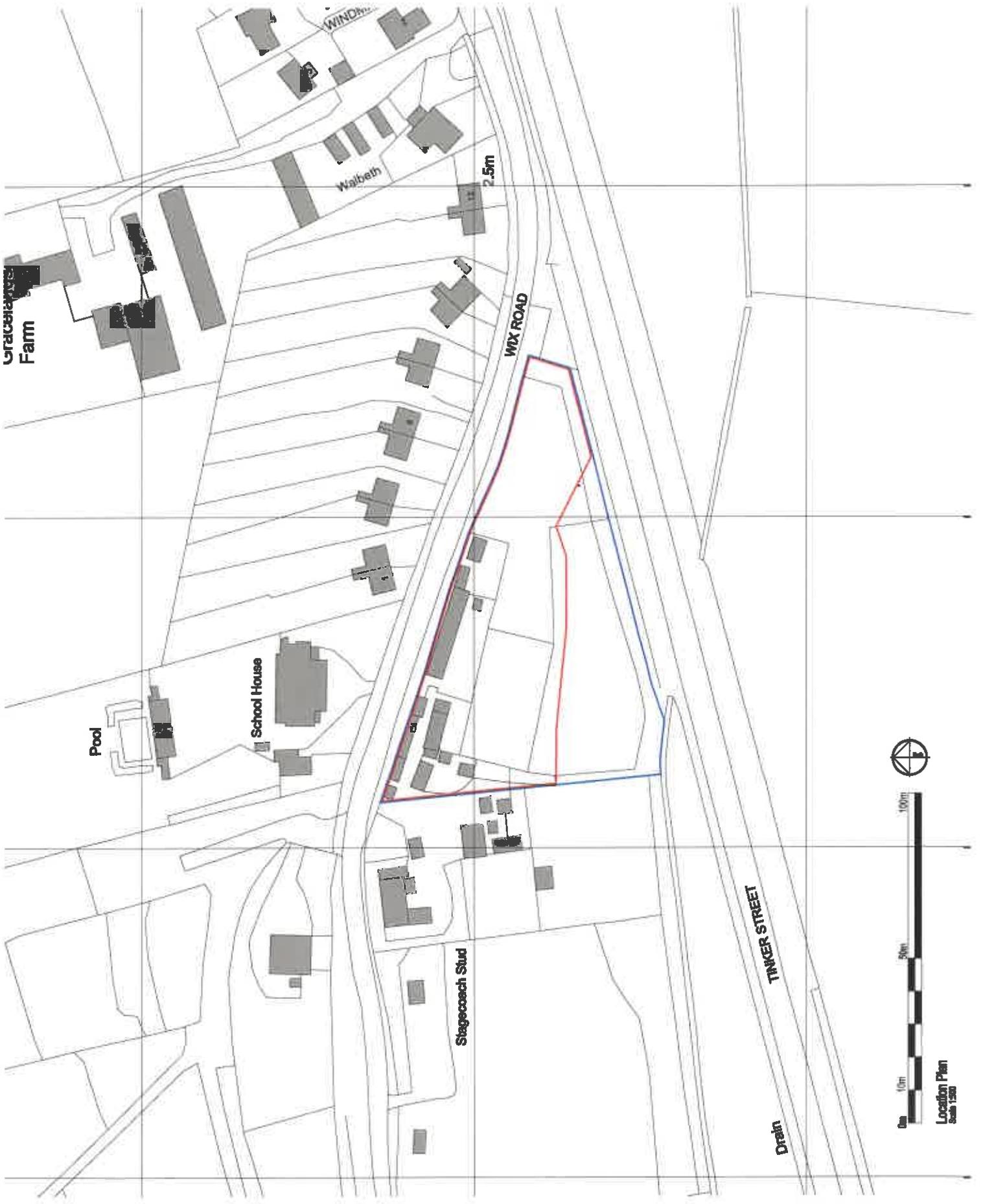
The site shown on the attached plan affecting land in Wix Road would meet the three tests of sustainability as set out in the NPPF. This land is used as a paddock in connection with an equestrian business. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Ramsey is further identified by the Council as being a settlement where some development can take place. Permission has recently been granted for 8 dwellings on a site further from the village centre than the site suggested within this response. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



A-21002017 - Site Plan - (A)

Name: \_\_\_\_\_  
 Project: Wix Road, Runway  
 Client: Arora Homes  
 Drawing Title: Site Location Plan  
 Project No./Drawing No.: OMPA001A  
 Scale: 1:1000  
 Date: 01/03/2017

**ARBORA**  
 Homes  
 100 The Kings Highway Park  
 Melbourne  
 VIC 3004  
 Tel: 07 9499 2600  
 www.arborahomes.com.au  
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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Barrington Fuller, White"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

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Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

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**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

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When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

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**Colchester: Return by 5pm 11th August 2017**

## **Clacton Road, Weeley Heath**

The Council's Economic Development Strategy indicates that the provision of housing appropriate to meet the needs of the business community is 'critical' to the future of the District's economy. The Council has for a number of years supported the provision of 'aspirational' or custom built housing. However, with the exception of one scheme approved for Willow Farm, Weeley Heath, and which has yet to be achieved, no other scheme has been approved. Furthermore, the likelihood of the approved scheme having regard to its last use as a pig farm, is not likely to be conducive to the type of housing envisaged by the Council.

The site shown on the attached plan extends to 4.8 hectares and comprises paddocks and marginal grazing land to the rear of substantial properties set to the west of Clacton Road. This area is a sylvan setting that is entirely screened from both Clacton Road and the A133 further to the west. Development of this area for a limited number of custom built houses will have limited impact upon the rural setting of the area, while ensuring that the environment is one in which aspirational houses would be expected. This suggestion is confirmed with the number of similar houses evident along this section of Clacton Road and the number of prominent local business leaders who already reside in this setting. Not only is the location attractive for the provision of such quality homes, it has excellent links to both Clacton-on-Sea, Colchester and beyond, entirely suitable for the business needs of the potential occupants. The intention is to therefore create a select setting on an informal 'arcadian' layout with the provision of an access road and associated infrastructure, establishing a series of plots which can then be acquired on a site by site basis for individual, bespoke houses to be constructed.

The site suggested is located close to the key rural settlements of both Little Clacton and Weeley, where a comprehensive range of services and facilities are available. Policy LP7 suggests that such sites should be within 600 meters (sic) of the development boundary of a strategic rural service centre. In this case the allocation now proposed would be located 220m from the boundary of Little Clacton and 96m from Weeley Heath.

The credentials of this site can clearly meet the suggested guidelines. It is also relevant to note that planning permission has recently been granted for the development of 22 dwellings on the adjoining Kidby's Nursery site. This scheme, which is a narrow intrusive site projecting into the open countryside, is to be developed at a density of 16 dwellings per hectare. The proposed development would however be developed on the basis as set out

**within the adopted Essex Design Guide for an 'Arcadian' settlement, with a density of no more than 8 dwellings per hectare.**

**On this basis, the development would meet the Council's requirements for aspirational custom built housing in a location already favoured by leaders of the business community and in a setting which would have no detrimental impact upon the character of this rural area. Therefore, both Policy LP7 and the allocation of this particular site for such housing are supported.**





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## Draft Local Plan

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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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Yes     No

**Does It comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend policy

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**

Policy PP6 is considered to be ambiguous and unreasonable in the form suggested. To date we have experienced the Council's rather dogmatic approach to preventing the re-use and redevelopment of commercial buildings for other purposes where their existing use has become inappropriate through the demands and needs of the business community in the 21<sup>st</sup> Century. The approach suggested within Policy PP6 maintains this resistance to change, requiring excessive and unnecessary barriers to be overcome, often far beyond a proportionate response to seeking the retention of employment land.

It is suggested at the very least that the policy should be better defined, particularly criteria b which is too simplistic and generalised, and criteria e where no details have been provided of the term of marketing required. 'Prolonged' is considered to be unreasonable and not specific.



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Draft Local Plan

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Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
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Post Code	<input type="text" value="CO4 9HU"/>
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Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

See attached

*Continue onto next page*

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Amend policy

**Do you wish to participate at the oral part of the examination?**

Yes  No

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Yes  No

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**Colchester: Return by 5pm 11th August 2017**

Policy LP7 is supported, although there are concerns with the subjective and ambiguous nature of the wording of the policy itself. The first paragraph suggests that the development will be supported subject to there being no conflict with other policy requirements. This 'conflict' should be clarified. Similarly, the 2<sup>nd</sup> paragraph refers to the scheme being considered 'on its merits'. Such wording is neither precise nor unambiguous, resulting in confusion and an arbitrary approach being adopted by the authority.



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Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<b>Geisha, Mallett &amp; Morfo</b>
Address Line 1	<b>c/o agent</b>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

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Title	<b>Mr</b>
First Name	<b>Peter</b>
Last Name	<b>Le Grys</b>
Organisation	<b>Stanfords</b>
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Address Line 3	<b>Colchester</b>
Post Code	<b>CO4 9HU</b>
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Telephone Number	<b>01206 879225</b>

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**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend development limits

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To fully examine reasons for deletion of the site from the 2016 pre-Submission Plan

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**

## **Michaelstowe Farm, Ramsey Road, Dovercourt**

These sites were until 16<sup>th</sup> June 2017 located within the defined settlement boundary of Dovercourt as identified in the Policies Map of the Tendring District Local Plan: Preferred Options Consultation (2016).



*Preferred Options 2016*

The sites have been omitted from the plan without any indication to the land owners or other interested parties. The Council has failed to communicate the reason for the deletion of the land. There are no apparent restrictions or limitations upon the land which would justify such a *volte face*. The site is within a sustainable location with a full range of services available within walking distance. The site is also in close proximity to bus stops with access to Dovercourt town centre. On the basis of the above, it is considered that the application site is within a location where future occupiers would have access to local community facilities as well as access to employment opportunities through public transport links. The site is therefore considered sustainable and in accordance with Policy SP1 and Government guidance as contained within the NPPF.

In the absence of any approach by the Council, it can only be surmised that the deletion of the overall site follows an appeal decision for the land opposite St Michael's Church and adjacent to the Two Villages school. If this is the case, it is considered that the authority has failed to properly examine the merits of the site. The original allocation affects three separate and distinct parcels of land. This representation concerns land forming part of a current application

17/00782/OUT and land immediately to the west which has a separate and independent means of access on to Mayes Lane. It does not include the land on the corner of Ramsey Road and Mayes Lane, which is in separate ownership. The land at the junction with Mayes lane has a direct relationship to the church, similar to that identified by the Inspector when considering proposals for the Church Hill site.

The distinction between the three parcels of land was identified within a report prepared on behalf of the Council in 2010. This Landscape Impact Assessment prepared by AMEC demonstrated that the land subject of this representation could be developed without causing any impact upon the wider locality. The site is also some distance and out of view from the church.

It is therefore considered that the Council's response to deleting the entire site allocation is unjustified, and fails to have appropriate regard to the character and nature of the site. The departure from the previous plans in 2012, 2014 and 2016 is irrational and unreasonable.

The scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.

This representation also raises an objection to the inclusion of suggested site SAH2 for land in Low Road, Dovercourt having regard to the scale and impact of the proposals upon an area otherwise open with extensive views to the south. The development of the land subject of this representation is considered to be considerably more appropriate in both scale and relationship to the existing built form of the area.



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Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Croland Developments"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
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**Enter your full representation here:**

See attached

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend policy and strategic approach

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

Significant development with district wide implications

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

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Yes  No

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Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**

## **Horsely Cross**

Policy PP7 fails to recognise that an extant planning permission exists for the development of 28,200m<sup>2</sup> B1 and B8 commercial floorspace exists for the site at Horsley Cross. The Council are fully aware of the intentions of the land owner and developer of this site through considerable meetings and correspondence over the past year. The exclusion of this site renders the Council's employment land strategy as being out of date, inaccurate and misguided in its approach to other allocations suggested within the District. The policy requires reviewing in the light of this pending major development.



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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="N"/>
Last Name	<input type="text" value="Neal"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
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Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
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Address Line 2	<input type="text" value="Wyncolls Road"/>
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**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Delete green gap designation and include site within settlement limits

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To fully consider reasons for designation of site within green gap.

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

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**Colchester: Return by 5pm 11th August 2017**

## **Church Hill Ramsey**

This representation is twofold; first it concerns the development of a small part of a wider site having a direct frontage on to Church Hill, with access served by a single drive utilising an existing vehicular crossover. The dwellings would be set in line with the ribbon of housing to the west. This development would be consistent with other housing recently approved along Church Hill, further from the settlement of Dovercourt. Secondly, the wider site was shown to be outside the green gap designation within the Council's draft Local Plan 2014 and pre-Submission Plan 2016. The Council has now sought to impose a blanket restriction on development of the site through the designation of a strategic 'green gap'.



*2016 Draft Plan*

An appeal decision in September 2016, concerning the development of the land to the west of Mayes Lane with 71 dwellings is a material consideration in examining this proposal. First, there was no concern raised by the Inspector that the site was not in a sustainable location. The primary issue was significant effect on the setting of St Michaels Church. The Inspector gave appropriate criticism of the impact upon the views of the church from Essex Way, the views from the south west corner of the site, the views from the access road to Two Villages School and the change in rural character to the setting of the church.

The Inspector did not however consider that the development of the site would contravene the fundamental aim of the Green Gap as proposed in 2016 (paragraph 25). The inclusion of the entire site within the Green Gap is therefore unnecessary, inappropriate and unjustified. It is considered that there are opportunities for limited development of the site

without causing the impact upon the setting of the church or the wider area. In this respect, the potential development of 3 dwellings can demonstrate the limited, if any, effect this scheme would have upon the character of the area or setting of the church. The following plan which forms an illustrative layout of the proposed development, demonstrates the field of vision from the south and south west. Area 1 refers to the land in front of the school. The scheme would not alter the existing views of the church nor affect the rural context of the churchyard, which would otherwise retain the open character to both the east and west. Area 2 is the 'corridor' of view from the south west, as opined by the Inspector as being especially important, and again would be unaffected by this proposal



Area 3 is the extent of view that in theory would be lost as a result of this scheme, except that as identified by the Inspector, the views from the southwest would be shielded by 'the landscape barrier of Whinny Grove Woods. There would therefore be no loss of public views of the church as a result of this scheme.

The remaining consideration is therefore the impact upon the immediate setting of the church, and whether this scheme would reduce the rural setting as identified within the appeal decision. It is clear that the proposal will introduce development closer to the church on the opposite side of the road. However, these dwellings would be no closer than the existing buildings on the north side of Church Hill. The distinctive setting of the church would not therefore be compromised. The open space to either side of the church would remain, ensuring the church is seen in its rural setting and as a prominent and important part of the street scene. Any loss of setting, if any, would be oblique and less than harmful. The statutory duty to protect the setting of the listed building will not therefore be compromised.

It is therefore suggested that the extension of the green gap designation is inappropriate and should revert to the extent shown upon the pre-submission plan. Further, the minor extension to the development limits along Church Hill would represent a sustainable form of development.



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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Ms"/>
First Name	<input type="text" value="H"/>
Last Name	<input type="text" value="Hill"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

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e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Include site within settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Little Clacton Road, Great Holland**

Great Holland has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land adjacent to The Willows, Little Clacton Road, Great Holland would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes but forms part of the former kennels that occupied the buildings to the rear of the house. By allowing development across the frontage of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. This proposal would also enable the removal of the existing redundant buildings thereby improving the character and appearance of the site which adjoins the open countryside to the north. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Great Holland is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

Not only has the Council extended the settlement boundary through the grant of planning permission for the development of greenfield plots within the area, including at 'The Paddocks' Kirby Road which was granted in June 2013 (ref 13/00417/FUL), and a plot adjacent to Holland House, Kirby Road granted in August 2014 (reference 14/00540/FUL), planning permission has recently been granted on appeal for the development of two dwellings outside but immediately adjacent to the village development limits on land adjacent the Lion's Den PH and for three dwellings at Larges Farm, Rectory Road. Each of these sites have similar characteristics to the current proposal.

As detailed above, the village has a number of amenities in close proximity to the site. These include a public house, community hall, church hall, children's play area and farm shop while there is also a business park and motor repair garage. The tenancy of the village shop and convenience store has unfortunately altered, with the incumbents deciding to close their business. However, it is understood the shop may re-open at a future date.

There are five separate bus services that operate along Rectory Road by three different operators, namely No's 7, 8, 9, 704 and 784. The latter is operated by National Express and provides a twice daily direct service to Central London. There are a total of 57 bus journeys occur each working day in each direction, connecting the site with Clacton-on-Sea, Frinton-on-Sea, Essex University and Colchester town centre.

Great Holland is located less than 1500m to the south of Kirby Cross with its full range of shops, restaurants, doctors surgery, village hall, community centre and primary school amongst the many other attractions. Moreover, Kirby Cross railway station provides frequent direct rail links into London Liverpool Street, Colchester and Frinton-on-Sea. Adjacent to the station is also an extensive industrial estate providing considerable local employment. It can therefore only be concluded that the site is situated within a sustainable location.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





**Tendring**  
District Council



**Local Plan**  
COLCHESTER BOROUGH



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### 1. Personal Details

Title	Mr
First Name	D
Last Name	Akers
Organisation <i>(Where relevant)</i>	
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Peter
Last Name	Le Gryns
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

## PART B

# REPRESENTATION FORM

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Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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When the document is submitted for independent examination?

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When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

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**Colchester: Return by 5pm 11th August 2017**

## **Pork Lane, Great Holland**

Great Holland has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land in Pork Lane, Great Holland would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes and adjoins land accepted by the Council as being an extension to the village settlement limits. By allowing development to the rear of that which has been approved would ensure an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Great Holland is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

Not only has the Council extended the settlement boundary through the grant of planning permission for the development of greenfield plots within the area, including at 'The Paddocks' Kirby Road which was granted in June 2013 (ref 13/00417/FUL), and a plot adjacent to Holland House, Kirby Road granted in August 2014 (reference 14/00540/FUL), planning permission has recently been granted on appeal for the development of two dwellings outside but immediately adjacent to the village development limits on land adjacent the Lion's Den PH and for three dwellings at Larges Farm, Rectory Road. Each of these sites have similar characteristics to the current proposal.

As detailed above, the village has a number of amenities in close proximity to the site. These include a public house, community hall, church hall, children's play area and farm shop while

there is also a business park and motor repair garage. The tenancy of the village shop and convenience store has unfortunately altered, with the incumbents deciding too close their business. However, it is understood the shop may re-open at a future date.

There are five separate bus services that operate along Rectory Road by three different operators, namely No's 7, 8, 9, 704 and 784. The latter is operated by National Express and provides a twice daily direct service to Central London. There are a total of 57 bus journeys occur each working day in each direction, connecting the site with Clacton-on-Sea, Frinton-on-Sea, Essex University and Colchester town centre.

Great Holland is located less than 1500m to the south of Kirby Cross with its full range of shops, restaurants, doctors surgery, village hall, community centre and primary school amongst the many other attractions. Moreover, Kirby Cross railway station provides frequent direct rail links into London Liverpool Street, Colchester and Frinton-on-Sea. Adjacent to the station is also an extensive industrial estate providing considerable local employment. It can therefore only be concluded that the site is situated within a sustainable location.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



**Tendring**  
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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="A"/>
Last Name	<input type="text" value="Brown"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

[Empty rectangular box for main representation]

**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

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Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

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**Colchester: Return by 5pm 11th August 2017**

## **Adjacent The Veldt, Little Clacton Road, Great Holland**

Great Holland has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land adjacent to The Veldt, Little Clacton Road, Great Holland would meet the three tests of sustainability as set out in the NPPF. This land is directly adjacent to the village settlement boundary. By allowing development across the frontage of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

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Not only has the Council extended the settlement boundary through the grant of planning permission for the development of greenfield plots within the area, including at 'The Paddocks' Kirby Road which was granted in June 2013 (ref 13/00417/FUL), and a plot adjacent to Holland House, Kirby Road granted in August 2014 (reference 14/00540/FUL), planning permission has recently been granted on appeal for the development of two dwellings outside but immediately adjacent to the village development limits on land adjacent the Lion's Den PH and for three dwellings at Larges Farm, Rectory Road. Each of these sites have similar characteristics to the current proposal.

As detailed above, the village has a number of amenities in close proximity to the site. These include a public house, community hall, church hall, children's play area and farm shop while there is also a business park and motor repair garage. The tenancy of the village shop and

convenience store has unfortunately altered, with the incumbents deciding to close their business. However, it is understood the shop may re-open at a future date.

There are five separate bus services that operate along Rectory Road by three different operators, namely No's 7, 8, 9, 704 and 784. The latter is operated by National Express and provides a twice daily direct service to Central London. There are a total of 57 bus journeys occur each working day in each direction, connecting the site with Clacton-on-Sea, Frinton-on-Sea, Essex University and Colchester town centre.

Great Holland is located less than 1500m to the south of Kirby Cross with its full range of shops, restaurants, doctors surgery, village hall, community centre and primary school amongst the many other attractions. Moreover, Kirby Cross railway station provides frequent direct rail links into London Liverpool Street, Colchester and Frinton-on-Sea. Adjacent to the station is also an extensive industrial estate providing considerable local employment. It can therefore only be concluded that the site is situated within a sustainable location.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Anson"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
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- Yes     No

**Does it comply with the Duty to Co-operate?**

- Yes     No

**Do you consider the Local Plan is Sound?**

- Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

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**Enter your full representation here:**

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[Empty rectangular box for main representation]

**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

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Yes  No

**If yes which stage**

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**Braintree & Tendring: Return by 5pm 28th July 2017**

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**Colchester: Return by 5pm 11th August 2017**

## **Kirby Road, Great Holland**

Great Holland has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land adjacent to Larkwood, Kirby Road, Great Holland would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes but forms part of a derelict overgrown site. By allowing development of this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Great Holland is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

Not only has the Council extended the settlement boundary through the grant of planning permission for the development of greenfield plots within the area, including at 'The Paddocks' Kirby Road which was granted in June 2013 (ref 13/00417/FUL), and a plot adjacent to Holland House, Kirby Road granted in August 2014 (reference 14/00540/FUL), planning permission has recently been granted on appeal for the development of two dwellings outside but immediately adjacent to the village development limits on land adjacent the Lion's Den PH and for three dwellings at Larges Farm, Rectory Road which is immediately to the south. Each of these sites have similar characteristics to the current proposal.

As detailed above, the village has a number of amenities in close proximity to the site. These include a public house, community hall, church hall, children's play area and farm shop while

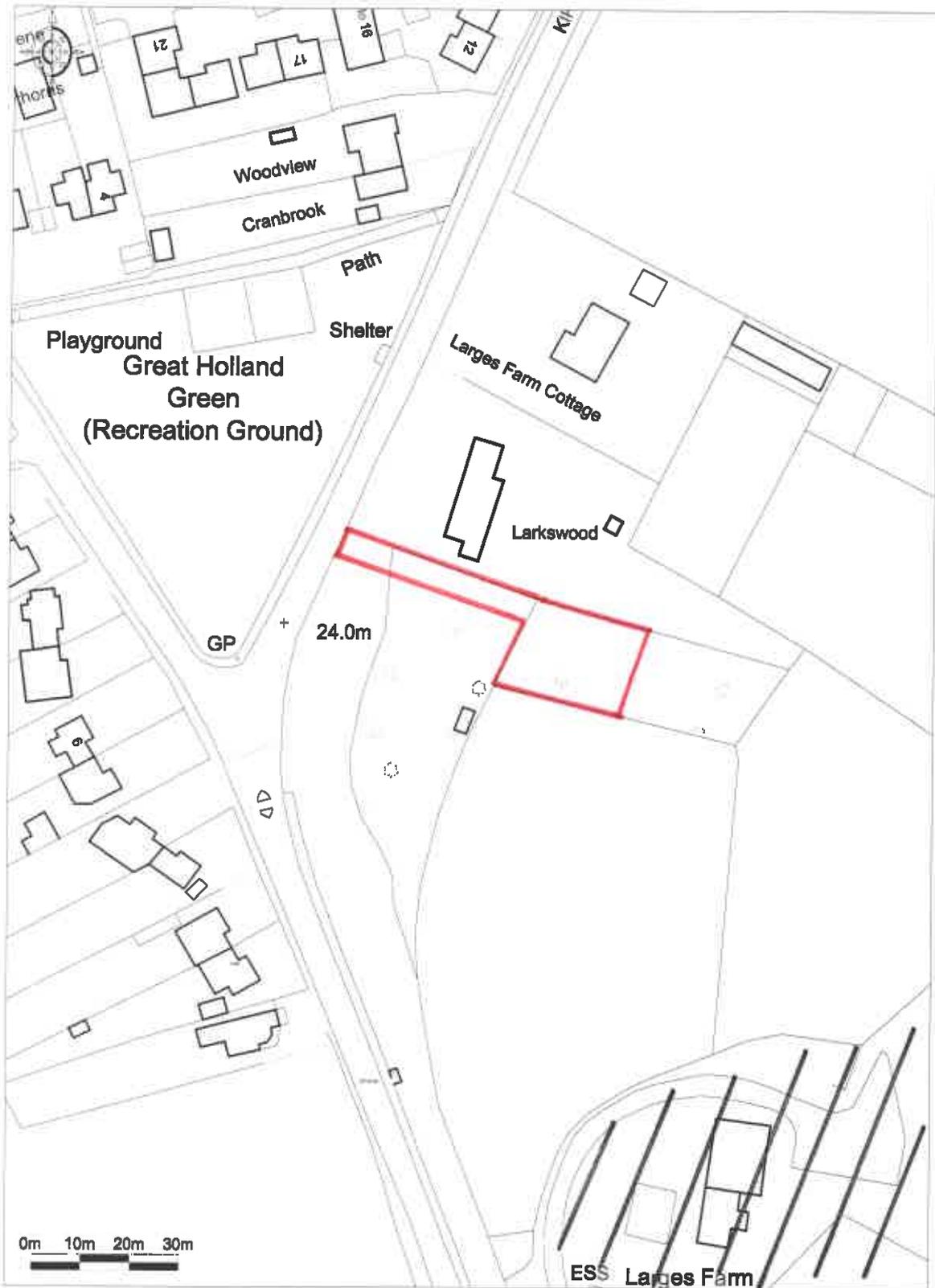
there is also a business park and motor repair garage. The tenancy of the village shop and convenience store has unfortunately altered, with the incumbents deciding to close their business. However, it is understood the shop may re-open at a future date.

There are five separate bus services that operate along Rectory Road by three different operators, namely No's 7, 8, 9, 704 and 784. The latter is operated by National Express and provides a twice daily direct service to Central London. There are a total of 57 bus journeys occur each working day in each direction, connecting the site with Clacton-on-Sea, Frinton-on-Sea, Essex University and Colchester town centre.

Great Holland is located less than 1500m to the south of Kirby Cross with its full range of shops, restaurants, doctors surgery, village hall, community centre and primary school amongst the many other attractions. Moreover, Kirby Cross railway station provides frequent direct rail links into London Liverpool Street, Colchester and Frinton-on-Sea. Adjacent to the station is also an extensive industrial estate providing considerable local employment. It can therefore only be concluded that the site is situated within a sustainable location.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



DEVELOPMENT  
ALLOWED ON  
APPEAL



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## Draft Local Plan

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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
 The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:

Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="M"/>
Last Name	<input type="text" value="Reid"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

# PART B

# REPRESENTATION FORM

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Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

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Yes     No

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Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

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**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

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**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Pork Lane, Great Holland**

Great Holland has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land in Pork Lane, Great Holland would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes and adjoins land accepted by the Council as being an extension to the village settlement limits. By allowing development to the rear of that which has been approved would ensure an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Great Holland is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

Not only has the Council extended the settlement boundary through the grant of planning permission for the development of greenfield plots within the area, including at 'The Paddocks' Kirby Road which was granted in June 2013 (ref 13/00417/FUL), and a plot adjacent to Holland House, Kirby Road granted in August 2014 (reference 14/00540/FUL), planning permission has recently been granted on appeal for the development of two dwellings outside but immediately adjacent to the village development limits on land adjacent the Lion's Den PH and for three dwellings at Larges Farm, Rectory Road. Each of these sites have similar characteristics to the current proposal.

As detailed above, the village has a number of amenities in close proximity to the site. These include a public house, community hall, church hall, children's play area and farm shop while

there is also a business park and motor repair garage. The tenancy of the village shop and convenience store has unfortunately altered, with the incumbents deciding to close their business. However, it is understood the shop may re-open at a future date.

There are five separate bus services that operate along Rectory Road by three different operators, namely No's 7, 8, 9, 704 and 784. The latter is operated by National Express and provides a twice daily direct service to Central London. There are a total of 57 bus journeys occur each working day in each direction, connecting the site with Clacton-on-Sea, Frinton-on-Sea, Essex University and Colchester town centre.

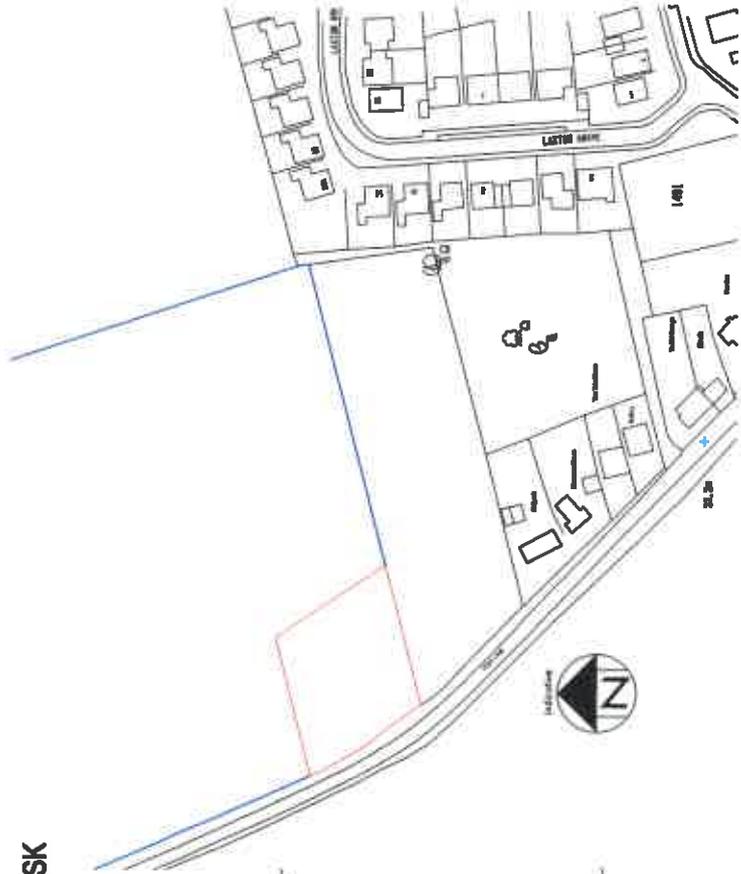
Great Holland is located less than 1500m to the south of Kirby Cross with its full range of shops, restaurants, doctors surgery, village hall, community centre and primary school amongst the many other attractions. Moreover, Kirby Cross railway station provides frequent direct rail links into London Liverpool Street, Colchester and Frinton-on-Sea. Adjacent to the station is also an extensive industrial estate providing considerable local employment. It can therefore only be concluded that the site is situated within a sustainable location.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.

**DO NOT SCALE**

**IF IN DOUBT ASK**



Ref/No	Revision note	Date
	Proposed 3 no. bungalows	
Address	Land adjacent to Hollycote, Port Lane, Great Holland, Essex.	
Client	Mr M Field	

Drawn	ZM	Sheet no.	
Date	07/2017	Scale as indicated @ A2	
Drawing No	RFL-03	Revision	

**Zoe Manning BSC.**  
 Drawing Services Ltd.  
 143 Connaught Avenue  
 Frinton-on-Sea, Essex,  
 CO13 9AB  
 Tel/Fax 01255 676503  
 zmanningdrawing@gmail.com

**JUNCTION VISIBILITY SPLAYS HAVE BEEN ASCERTAINED FROM OS DATA. HIGHWAY LAND OWNERSHIP SHOULD BE CHECKED**



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Draft Local Plan

# RESPONSE FORM

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Title	Mr
First Name	S
Last Name	Watscham
Organisation <i>(Where relevant)</i>	
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

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Title	Mr
First Name	Peter
Last Name	Le Gry
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

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Yes     No

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**Enter your full representation here:**

*Continue onto next page*

[Empty rectangular box for main representation]

**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

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Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Church Road, Great Holland**

Great Holland has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land in Church Road, Great Holland has been the subject of planning permission granted for the development of two large houses. The settlement boundary has not been altered to reflect this very recent change. The remainder of the site would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes and forms part of the site accepted by the Council as being an appropriate extension to the village. By allowing development alongside that which has been approved would ensure an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the frontage development elsewhere along the road. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Great Holland is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

Not only has the Council extended the settlement boundary through the grant of planning permission for the development of greenfield plots within the area, including at 'The Paddocks' Kirby Road which was granted in June 2013 (ref 13/00417/FUL), and a plot adjacent to Holland House, Kirby Road granted in August 2014 (reference 14/00540/FUL), planning permission has recently been granted on appeal for the development of two dwellings outside but immediately adjacent to the village development limits on land adjacent the Lion's Den PH and for three dwellings at Larges Farm, Rectory Road. Each of these sites have similar characteristics to the current proposal.

As detailed above, the village has a number of amenities in close proximity to the site. These include a public house, community hall, church hall, children's play area and farm shop while there is also a business park and motor repair garage. The tenancy of the village shop and convenience store has unfortunately altered, with the incumbents deciding to close their business. However, it is understood the shop may re-open at a future date.

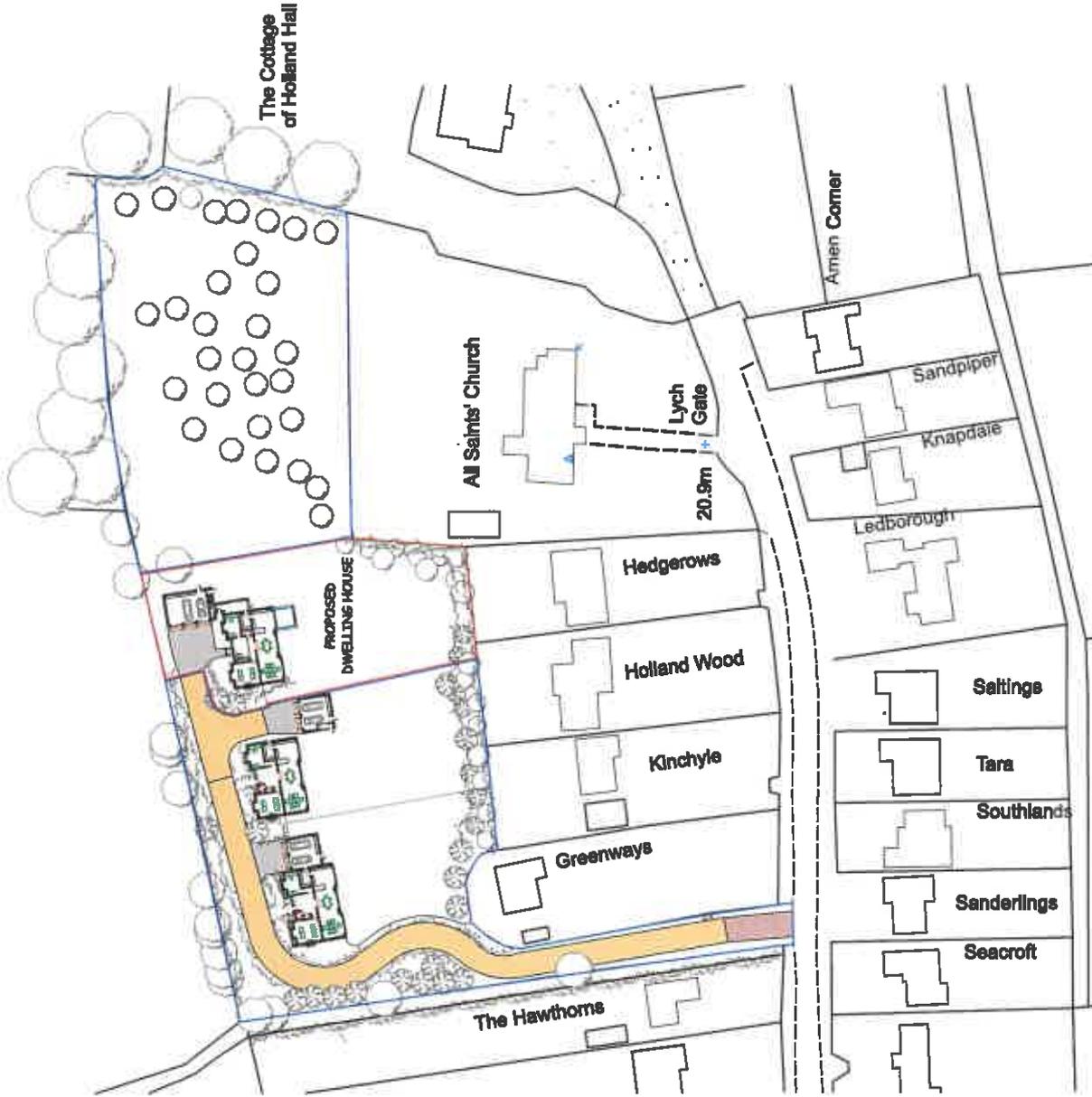
There are five separate bus services that operate along Rectory Road by three different operators, namely No's 7, 8, 9, 704 and 784. The latter is operated by National Express and provides a twice daily direct service to Central London. There are a total of 57 bus journeys occur each working day in each direction, connecting the site with Clacton-on-Sea, Frinton-on-Sea, Essex University and Colchester town centre.

Great Holland is located less than 1500m to the south of Kirby Cross with its full range of shops, restaurants, doctors surgery, village hall, community centre and primary school amongst the many other attractions. Moreover, Kirby Cross railway station provides frequent direct rail links into London Liverpool Street, Colchester and Frinton-on-Sea. Adjacent to the station is also an extensive industrial estate providing considerable local employment. It can therefore only be concluded that the site is situated within a sustainable location.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.

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job <b>PROPOSED RESIDENTIAL DEVELOPMENT AT GREAT HOLLAND NURSERY, CHURCH LANE, GREAT HOLLAND, ESSEX FOR PRINCIPAL HOMES LTD</b>	Plan/ID: Zoning: Devs: Comments:		Approved by:	
	title <b>PLANNING DRAWINGS PROPOSED LOCATION PLAN</b>			
scales (E A3) 1:10000	job no. 2391	drawing no. 53	Copyright © Design and Development Consultancy	
date OCTOBER 2016	draft IDS	revision 001	design & development consultancy Heritons, Heroti Way, Friton on Sea, Essex, CO9 6BA Telephone 01255 675376 & 0780 164 6386 Website www.design-development.co.uk Copyright © Design and Development Consultancy	



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This form has two parts:

Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="D."/>
Last Name	<input type="text" value="Fairley"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

[Empty rectangular box for main representation]

**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

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Yes  No

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**Colchester: Return by 5pm 11th August 2017**

## **R/O 178 Thorpe Road, Kirby Cross**

**Kirby Cross is recognised as forming part of the principal urban settlement of Frinton-on-Sea and Walton-on-the-Naze. The village is able to accept further development that would be socially and environmentally appropriate.**

**The site shown on the attached plan affecting land to the rear of the field at 176-178 Thorpe Road would meet the three tests of sustainability as set out in the NPPF. This land is set immediately behind the development recently approved for 8 dwellings (reference 15/00465/FUL) and is in the same ownership. Access to the land now shown would be capable through the approved development, where provision was made to accommodate the requirements of these additional dwellings. The extent of the site proposed would also align with the development recently approved, also on appeal, for the land immediately to the north east (reference 15/00047/OUT). This land is indicated on the submitted plan. By allowing development on this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the pattern of development elsewhere along the road. The development would not necessitate the removal of any trees or hedgerow.**

**As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**





ALLOWED ON APPEAL

ALLOWED ON APPEAL

Poultry Houses

THORPE ROAD

24.9m

The Hook  
The Nook

Project: Land at Thorpe Road, Kirby Cross	
Title: Site Location Plan (Phase 2)	
Drawing: 1173 - 102	Date: May 2016
Scale: 1:1250 @A4	Rev: Drawn: PH
ARCHITECTURAL BUILDING SERVICES (ESSEX) LTD. Valley Barns, Boldon Lane, Thorpe-le-Soken, Essex, CO16 0LE t - 01206 861727 info@absessexltd.com www.absessexltd.com	
	



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Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Cooper Bros (Gt Oakle)"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

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First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
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**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Stones Green Road, Stones Green**

The site shown on the attached plan should be considered as suitable for residential development.

The site measures approximately 0.29 hectares in size and forms part of a larger arable field within the same ownership. The site lies on the edge of the village of Stones Green and opposite a range of semi-detached and detached dwellings which line Stones Green Road. The land to the rear of site is to remain within arable cultivation.



*View of the residential properties which line Stones Green Road opposite the site.*

The southern boundary is defined by a mature hedgerow for the length of the site; there are also a number of trees within the hedgerow which can be retained as part of the development.

To the north and east of the site the boundaries are currently not defined. To the west the land is delineated by a hedgerow which separates the land from the adjoining land use.

There is a public footpath that runs to the east of the application site. This will be unaffected by the proposed development.



*Showing footpath to the east of the application site.*

Stones Green Road comprises a range of dwellings of varying scale, height, bulk, design and appearance. Immediately opposite the site the properties are mainly detached or semi-detached bungalows. Within the settlement there are also some groups of two storey semi-detached houses particularly along Clacton Road.

Stones Green is a small settlement which lies to the south of Wix and to the west of Great Oakley. The village is centered on the junctions between Clacton Road, Colchester Road and Stones Green Road with properties surrounding these crossing points. The village has limited services within the settlement but is considered to be lying within the Parish of Great Oakley which has a range of services. Great Oakley is connected to other larger settlements by bus routes which run through the village. Bus stops, located in Great Oakley, provide routes to Harwich and Thorpe-le-Soken as well as Clacton-on-Sea. The local train stations in nearby Weeley, Thorpe-Le-Soken and Clacton-on-Sea also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Thorpe-Le Soken). It is therefore considered to be a sustainable location for development.

The site was shown within the defined development boundary of Stones Green as identified on the Policies Map Inset 35 of the Tendring District Local Plan: Proposed Submission Draft (2012) and therefore the principle of residential development was considered acceptable. This

**inclusion of the site within the development boundary was also carried through to the proposed submission draft as amended by the focused changes (2014).**



**It is suggested that the site can accommodate six bungalows with garages and off-street parking. The access and egress point will be provided by a new private drive to the south of the site onto Stones Green Road. The dwellings would be positioned in a linear arrangement to reflect the prevailing pattern of the development within the area. It is envisaged that the scheme would allow for substantial landscaping to be planted along the boundaries of the site to protect the residential amenity of the occupiers of neighbouring properties and the future occupiers of the properties to be constructed.**

**Paragraphs 9 and 50 of the NPPF advocate that high quality homes widens opportunities for home ownership and create sustainable, inclusive and mixed communities. Further, by providing attractive high quality homes, it would ensure that:-**

- People growing up in the district can aspire to live in, stay close to their family and enjoy employment without the need to move away from the local area;**
- Encourage people to live in the district who will have disposable income to spend in the local economy and who have the potential to invest in local business opportunities; and**
- Increase the value of existing residential properties in the area to the benefit the local residents, their children and future generations.**

The scheme envisages a scheme of semi-detached or detached houses set within reasonably large grounds, enabling a lower density of development on the edge of the village envelope. The properties will have a private amenity space of over 100+ square metres which will meet the Council's adopted policy requirements. There is scope for substantial planting around the perimeter of the site which would make a positive contribution to the bio-diversity from a net loss to achieving net gains for nature. This accords with the principles contained within the NPPF.

This scheme has taken into account the likely impact upon existing neighbouring residential properties to the south of the site along with the residential properties to the west of the site. The new dwellings will be carefully positioned and designed to ensure that the existing residential properties will not be adversely affected by reasons of loss of light, overlooking and privacy. There is currently no existing access/egress point to the site from Stones Green Road. It is proposed to create a new access into the site, where suitable, to ensure that adequate visibility splays can be achieved. As the site is within the 30mph speed limit, a visibility splay of 2.4 metres x 90 metres has been proposed in both directions. This would be in accordance with Policy TR1a of the adopted local plan.

The scheme is considered to be in a sustainable location as the development is no further than the existing residential developments that are immediately adjacent to this site. It is therefore considered to be a sustainable location for growth to support the vitality and vibrancy of the rural area. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

The site is currently within arable production and therefore has limited biodiversity value due to its cultivation. The site is screened by a mature hedgerow which will be retained and maintained as part of the development apart from a small section which will be removed to enable the access to the site to be created. This existing landscaping will obscure the view from Stones Green Road of the development site and therefore help to maintain the character of the area. The development will also be set back from the southern boundary of the site and the dwellings will be designed to reflect the character of the properties in the area so as to not detract from the existing street scene. Furthermore, the continuous frontage of development along Stones Green Road will be replicated by the development and therefore be in keeping with the existing linear development pattern of this area of the village.

The site is situated on the edge of Stones Green but is surrounded by built form on two sides. Although the development of the site will infill a section of road frontage along Stones Green Road, which previously would be considered open countryside, the development will not extend development beyond the current limits of the village in the locality. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.

**Tendring**  
District Council



**Local Plan**  
COLCHESTER BOROUGH



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Draft Local Plan

# RESPONSE FORM

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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:

Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Mr &amp; Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Barrington Fuller &amp; Lee"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

# PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

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**Which part of the section are you responding to?**

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- Yes     No

**Does it comply with the Duty to Co-operate?**

- Yes     No

**Do you consider the Local Plan is Sound?**

- Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

- Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

[Empty rectangular box for main representation]

**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

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Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**

## **Batemans Road, Little Clacton**

The site shown on the attached plan should be considered as suitable for residential development.

The site measures approximately 3.1 hectares and is situated to the north of Batemans Road, Little Clacton at the junction with Weeley Road. Immediately to the north is a bungalow which forms part of a ribbon of similar dwellings on this side of Weeley Road. To the south is the extensive new development of houses by Mersea Homes fronting onto Thorington Road.

Batemans Road is a hard surfaced private road serving the existing dwellings. The junction with Weeley Road is just within the 30mph speed restricted zone. There are no public footpaths within the immediate vicinity of the site.

Little Clacton is a large village which has developed around the roads of The Street, Holland Road and Harwich Road and the built development is spread out along these routes forming a linear settlement. The centre of the village is situated around the junction of The Street and Holland Road to the south west of Harwich Road. The site lies at the north western edge of the settlement. The village is classed as a key settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This approach is evident within recent decisions such as on the land off Springfields and Thorington Road and recent appeal decisions affecting land along The Street.

The village has a range of services within the settlement including shops, post office and a public house which are situated in the centre of the village. Thorpe-Le-Soken, to the north east of the site, is also within close proximity and this settlement provides additional amenities and services. There is a local convenience store in Harwich Road close to Plough Corner. The village is also served by a regular bus routes. Within the vicinity of the site is a bus stop located on Weeley Road which provides routes to Clacton-on-Sea, Harwich as well as Thorpe-le-Soken. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

The site is located immediately adjacent to the defined development boundary of Little Clacton, as previously identified in the Policies Map Inset 3 of the Tendring District Local Plan: Proposed Submission Draft (2012). The site therefore forms a logical small development site

on the edge of an urban settlement which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable.

It is suggested that the site could accommodate up to 50 dwellings. Batemans Road would be upgraded to an adoptable form with an improved bellmouth junction on to Weeley Road. This junction would result in considerable improvement to the access for properties in Thorington and Honing Roads.

The dwellings proposed will reflect the scale and detached nature of other properties in the locality. Each property will have a private amenity space of 100+ square metres which will meet the Council's adopted policy requirements. There is also scope for substantial landscaping surrounding the site including the northern and western boundaries to reduce the impact of the development and make a positive contribution to bio-diversity from a net loss to achieving net gains for nature. This accords with the principles contained within the NPPF.

The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

In the context of the existing frontage housing along Weeley Road, and representing a continuation of the Thorington Road development, the allocation of this site will not extend development beyond the public perception of the village limits in the locality. The form of development will replicate the existing development pattern of this area of the village. As such it will not be detrimental to the character and appearance of the surrounding countryside.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet

**the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**



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## Draft Local Plan

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This form has two parts:

Part A - Personal Details and Part B - Your comments

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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Palmer"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

# PART B

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**Do you consider the Local Plan is Sound?**

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**If you do not consider the Local Plan is sound, please specify on what grounds:**

- Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

[Empty rectangular box for main content]

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**If yes which stage**

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**Colchester: Return by 5pm 11th August 2017**

## **Edward Close, Little Clacton**

The area shown on the attached plan should be considered as part of the settlement boundary for Little Clacton.

Little Clacton is a large village which has developed around the roads of The Street, Holland Road and Harwich Road and the built development is spread out along these routes forming a linear settlement. The centre of the village is situated around the junction of The Street and Holland Road to the south west of Harwich Road. The site lies at the north western edge of the settlement. The village is classed as a key settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This part of the village has seen several permissions for further housing both on appeal and approved by the Council. The acceptance of these sites has not been translated in to a reasonable approach toward accepting development in this locality as part of the Local Plan.

The village has a range of services within the settlement including shops, post office and a public house which are situated in the centre of the village. Thorpe-Le-Soken, to the north east of the site, is also within close proximity and this settlement provides additional amenities and services. There is a local convenience store in Harwich Road close to Plough Corner. The village is also served by a regular bus routes. Within the vicinity of the site is a bus stop located on Weeley Road which provides routes to Clacton-on-Sea, Harwich as well as Thorpe-le-Soken. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

The specific site is located immediately adjacent to the development area and would represent a logical small infill development which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable.

The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute

economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities. The allocation of this site will not extend development beyond the public perception of the village limits in the locality. The form of development will replicate the existing development pattern of this area of the village. As such it will not be detrimental to the character and appearance of the surrounding countryside.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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Title	Mr
First Name	
Last Name	Swinscoe
Organisation <i>(Where relevant)</i>	
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Peter
Last Name	Le Gryns
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
Post Code	CO4 9HU
E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

## PART B

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**Braintree & Tendring: Return by 5pm 28th July 2017**

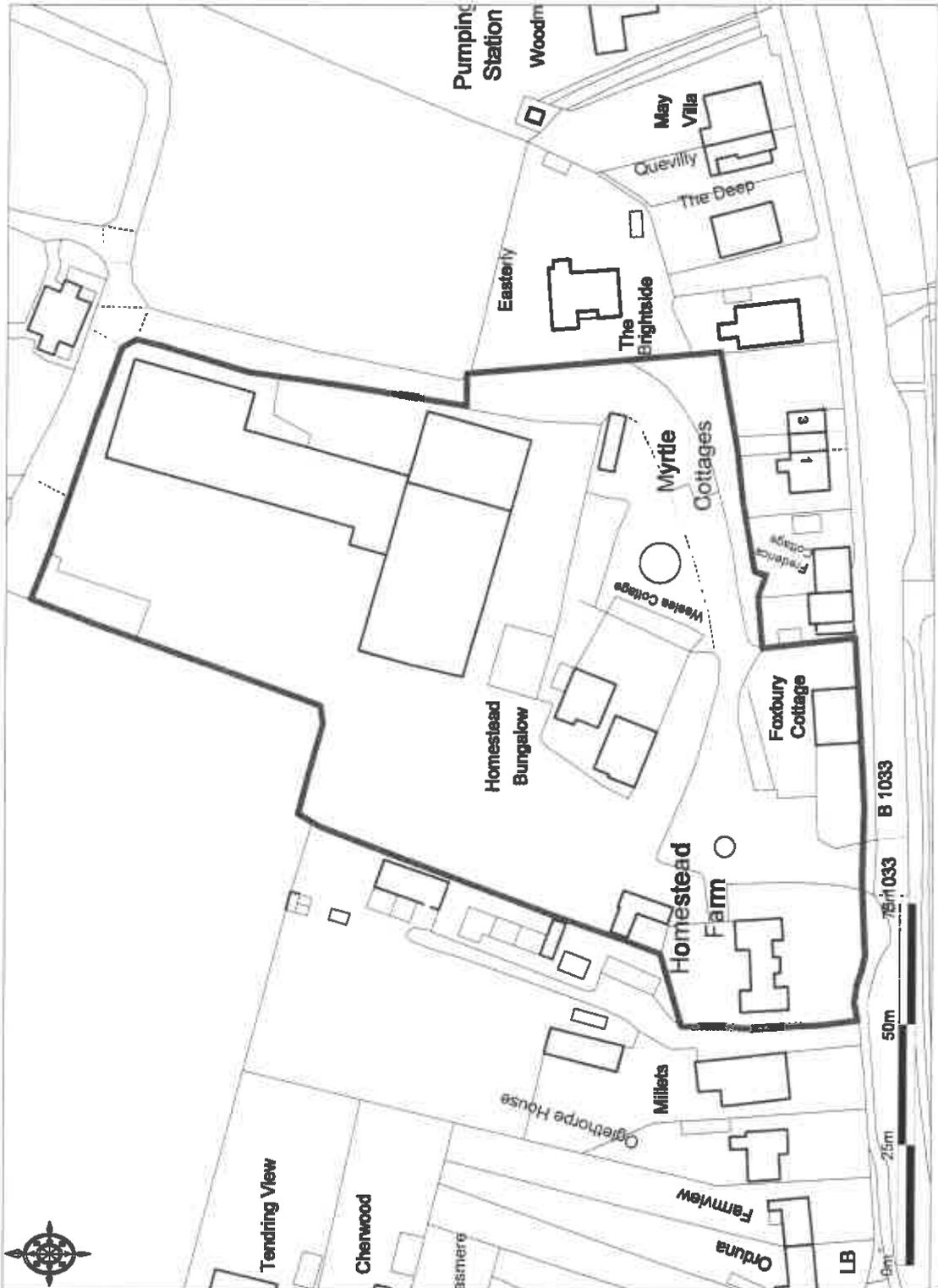
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**Colchester: Return by 5pm 11th August 2017**

## **Homestead Caravans, Weeley**

Weeley is recognised as being a key settlement able to accept further development that would be socially and environmentally appropriate. However, it is considered that some of the proposals for the village as suggested by the Council are not only too extensive but also insensitive. The site shown on the attached plan is a brownfield site with direct access onto Thorpe Road. The area includes numerous workshop buildings, shop, reception/office and café together with a rather unsightly caravan sales display area. It covers an area of approximately 1.5 hectares and could accommodate approximately 30 dwellings while retaining facilities for the caravan centre. This scale of development would also allow some social housing to be provided in the heart of the village. The development of part of the site would also enable further investment to be provided to upgrade the existing caravan park with additional landscaping and facilities for visitors.

With the current development on the opposite side of the road, the site is not only a sustainable location but would also incorporate redevelopment of a brownfield site in the centre of the community. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



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### 1. Personal Details

Title	<input type="text" value="Mrs"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Hull"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (If applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

[Empty rectangular box for main representation]

**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To properly consider relationship to neighbouring development

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Yes  No

**If yes which stage**

Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**



## **Thorpe Road Weeley**

Weeley is recognised as being a key settlement able to accept further development that would be socially and environmentally appropriate. However, it is considered that some of the proposals for the village as suggested by the Council are not only too extensive but also insensitive. The site shown on the attached plan is adjacent to the recent development in depth of land adjoining the Council's offices. Planning permission has been granted for three houses on the front part of the proposed site. It is suggested that a development that matches the same depth of the housing development alongside would be appropriate without causing any harm to the countryside. It is a site equally sustainable to those recently approved.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



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This form has two parts:

Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation (Where relevant)	<input type="text" value="Rainbow Nurseries"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

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**Enter your full representation here:**

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**If your representation is more than 100 words, please provide a brief summary here:**

[Empty rectangular box for summary]

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

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Yes  No

**If yes which stage**

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**Colchester: Return by 5pm 11th August 2017**

## **Rainbow Nursery, Weeley**

Weeley is recognised as being a key settlement able to accept further development that would be socially and environmentally appropriate. However, it is considered that some of the proposals for the village as suggested by the Council are not only too extensive but also insensitive. The site shown on the attached plan is adjacent to the recent development while planning permission has been granted for one dwelling on the site. With the likely closure of the nursery business in the near future, the site is not suitable for any other form of redevelopment. It is suggested that the redevelopment of this previously developed site would be appropriate without causing any harm to the countryside or surrounding area. It is a site equally sustainable to those recently approved.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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Organisation <i>(Where relevant)</i>	<input type="text" value="Kays"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To consider relationship of scheme to settlement and neighbouring development recently approved

**Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

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Yes  No

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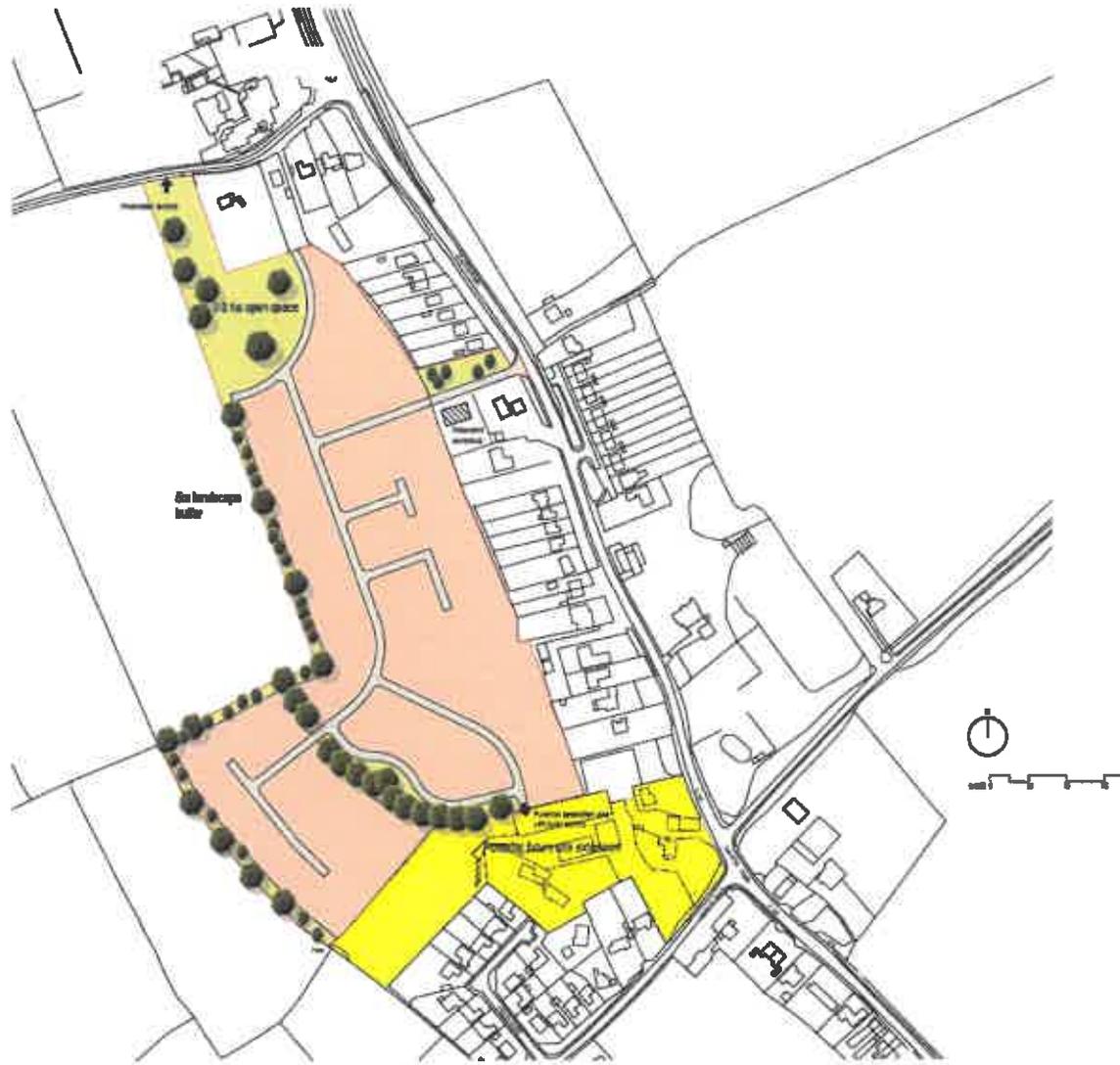
### **Land west of Clacton Road, Weeley Heath**

The site comprises approximately 6.30ha of land located west of Clacton Road, south of Gutteridge Hall Lane, and north of Bentley Road in Weeley. The site includes lands adjacent to Hillside Garage to provide access and to the rear of Hillside Garage for the vehicle workshop to be relocated.

The proposed development is the relocation of motor vehicle workshop and for the erection of up to 120 residential units with all matters reserved. The auto workshop is currently situated on land adjacent and will be relocated to the rear of the Hillside Motors building in order to provide access to the site for residential development.

The indicative site layout plan submitted shows the following zoned areas:

- a) housing areas with an indicative street layout for residential development of up to 120 units with access on to Clacton Road;
- b) a 5m wide ecological buffer along the western boundary linking with a similar landscaped buffer and retained field boundary to the south;
- c) an area of open space totaling approximately 0.8ha made up of land located in the north of the site through which pedestrian access can be provided to Gutteridge Hall Lane and a landscaped buffer at the location of the proposed site entrance to provide a buffer for the residence known as 'Helebrand' located adjacent north of the proposed site entrance.
- d) an area for potential future site extension is indicated on the zoned indicative site layout plan in yellow with potential pedestrian and vehicular access.



A single point of access is proposed along Clacton Road, where maximum visibility splays of 120m in both directions are achievable in order to ensure public safety. A Transport Assessment has concluded that the multi-modal increase associated with the scheme will not produce a material impact on the local road network, and pedestrians and public transport users can also be adequately accommodated.

Weeley/Weeley Heath is identified as a Key Rural Service Centre, characterised as containing a relatively good range of local services and facilities and with the potential for limited growth in homes and jobs that, if at an appropriate scale that reflected local needs, infrastructure limitations and local character, could meet the definition of sustainable development.

The proposed development of up to 120 dwellings is considered to meet the criteria of economic sustainability. The provision of additional dwellings will provide short term

economic benefits through the creation of jobs during the associated construction phase. In addition, future residents of the development are expected to enhance the local economy through the use of local shops and services in Weeley which are within easy walking or cycling distance or by bus from the application site. These include the local church, public houses, bakery, convenience store/post office, and garden centres with cafes. Local businesses are a source of potential employment as well.

It is considered that the proposed development will deliver a significant quantity of public open space to the benefit of future residents and the local community. This provision is considered to contribute significantly to the achievement of social sustainability.

The Council has in recent months accepted that this part of Weeley Heath is a sustainable location through the grant of outline planning permission at Willow Farm for 46 dwellings and for land directly opposite Hillside Garage for 8 dwellings. Other sites located further away from the school and railway station are being recommended for approval, confirming that the site is highly desirable as a sustainable location for housing development.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



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Title	Mr
First Name	
Last Name	Phelan
Organisation (Where relevant)	
Address Line 1	c/o agent
Address Line 2	
Address Line 3	
Post Code	
E-mail Address	
Telephone Number	

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Peter
Last Name	Le Gry
Organisation	Stanfords
Address Line 1	Livestock Market
Address Line 2	Wyncolls Road
Address Line 3	Colchester
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E-mail Address	plg@stanfords-colcheste
Telephone Number	01206 879225

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Amend settlement boundary

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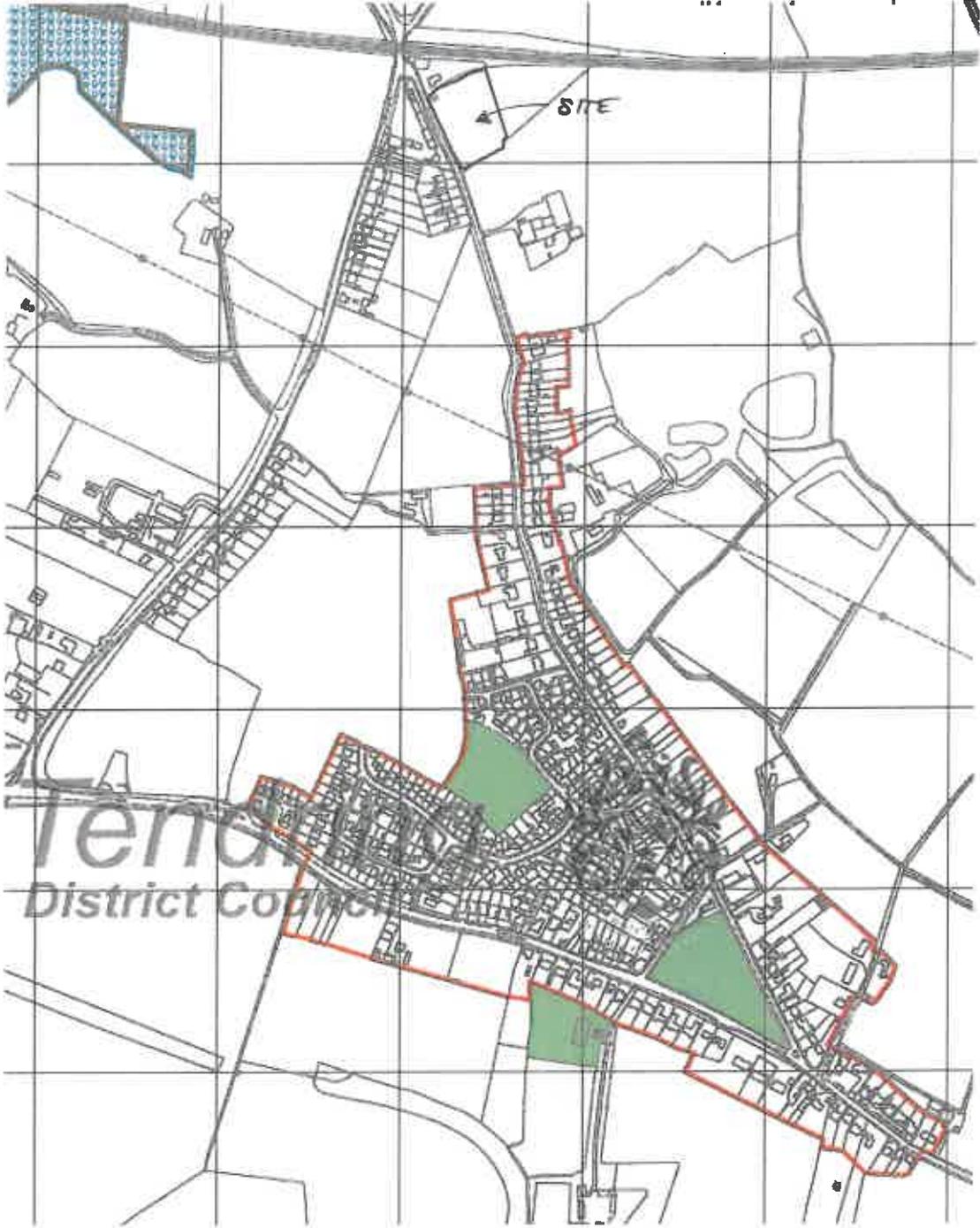
Thorrington has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan totals 0.53 hectares and could accommodate up to 6 dwellings. The site is under single ownership and has no development constraints. It is in a sustainable location with bus stops within walking distance. It is also in close proximity to the local shop/post office, village hall and play/open spaces. It would meet the three tests of sustainability as set out in the NPPF. By allowing development, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.

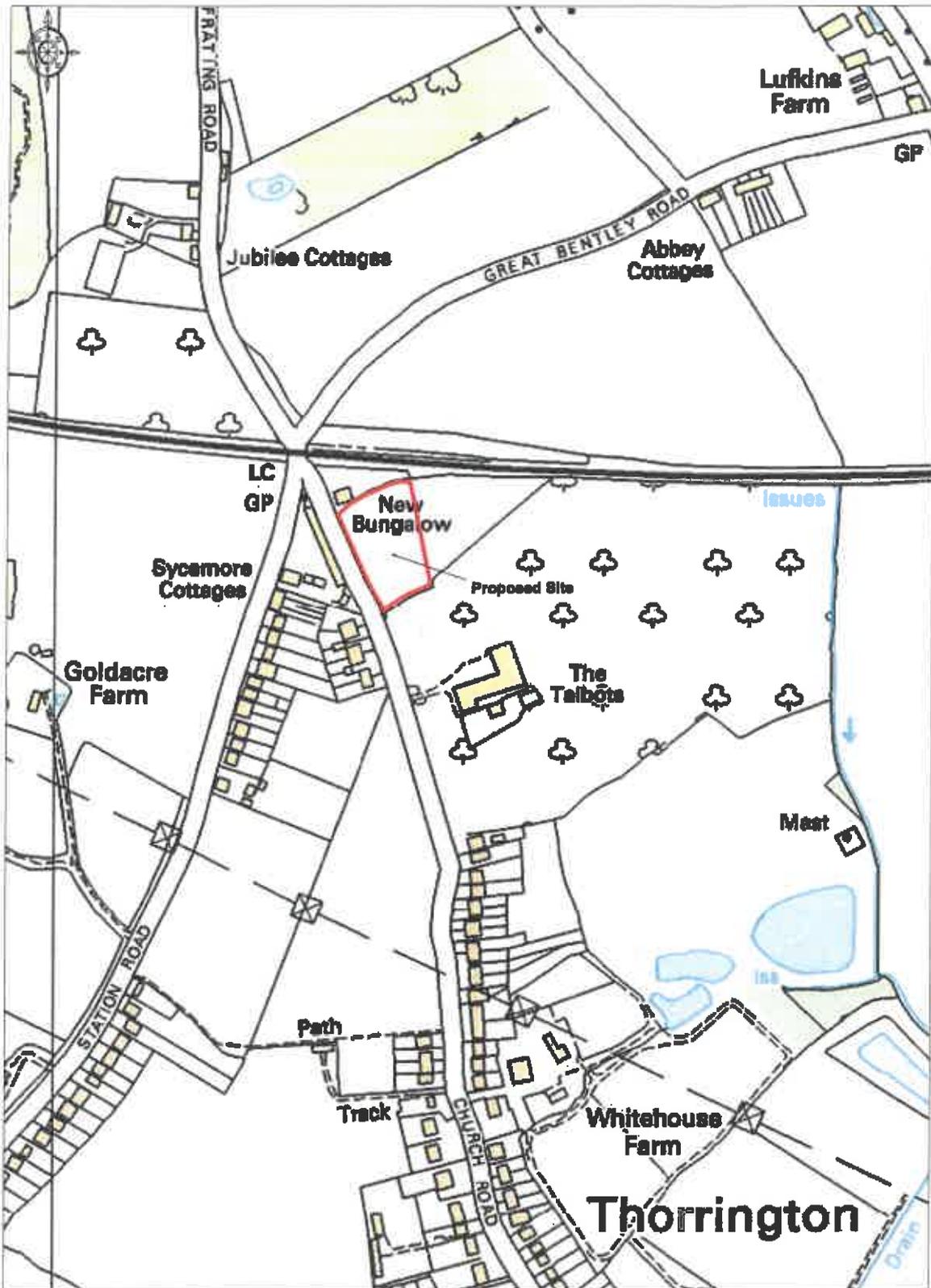
At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



Land off Church Road, Thorrington, Colchester, Essex



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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Norfolk Farms"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

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Yes     No

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Yes  No

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**Colchester: Return by 5pm 11th August 2017**

## **Bromley Road, Frating**

**Frating has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.**

**The site shown on the attached plan could accommodate up to 4 dwellings and is located on the opposite side of Bromley Road to the development of 49 houses recently allowed on appeal. The site is under single ownership and has no development constraints. It is in a sustainable location with bus stops within walking distance. It is also in close proximity to two public houses, play/open spaces. It would meet the three tests of sustainability as set out in the NPPF. By allowing development, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. Vehicular access to the site would meet the County Council visibility splays while the development would not necessitate the removal of any trees or hedgerow.**

**At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.**

**The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.**

**As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.**



Site Plan 1:500

Site area 0.36hec



Location Plan 1:1250

**JUNCTION VISIBILITY SPLAYS HAVE BEEN ASCERTAINED FROM OS DATA. HIGHWAY LAND OWNERSHIP AND SERVICE POSITIONS SHOULD BE CHECKED**

Rev	Date	Description

 	
Title	Location Plan Site Layout
Project	Land off Emriway Road Freeting Eloest
Client	Norfolk Farms
Date	03/2017
Author	JPH:AJA
Checker	DMC
Drawing	1409/01
Rev	

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Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Parkers Nurseries"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
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First Name	<input type="text" value="Peter"/>
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Organisation	<input type="text" value="Stanfords"/>
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# PART B

# REPRESENTATION FORM

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**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

- Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

- Yes     No

**Does It comply with the Duty to Co-operate?**

- Yes     No

**Do you consider the Local Plan is Sound?**

- Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

- Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

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**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## **Parkers Nurseries, Frinton Road, Thorpe le Soken**

The site shown on the attached plan should be considered as suitable for residential development. Planning permission has recently been granted for both the adjacent site (3 dwellings) and at Rose Farm (2 dwellings) which are located further from the village centre than the site now proposed.

Thorpe le Soken is a large village which is classed as a key rural settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This approach is evident within recent decisions such as on the land off Landermere Road and very decent appeal decision for St. Michaels Road

The village has a range of full services within the settlement including shops, post office and two public houses which are situated in the centre of the village. The village is also served by a regular bus routes. Within the immediate vicinity of the site is a bus stop which provides routes to Clacton-on-Sea, Harwich as well as Colchester. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

The site therefore forms a logical small development site on the edge of a settlement which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable.

The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

In the context of the existing frontage housing along Frinton Road, the scheme will represent a continuation of the existing linear development, the allocation of this site will not extend development beyond the public perception of the village limits in the locality. As such it will not be detrimental to the character and appearance of the surrounding countryside.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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Draft Local Plan

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Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Mr &amp; Mrs"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Mowle"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

# PART B

# REPRESENTATION FORM

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**Enter your full representation here:**

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**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Amend settlement boundary

**Do you wish to participate at the oral part of the examination?**

Yes  No

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Yes  No

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Issues and Options  Preferred Options

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**Colchester: Return by 5pm 11th August 2017**

## **Folly Farm, Frinton Road, Thorpe le Soken**

The site shown on the attached plan should be considered as suitable for residential development. Planning permission has recently been granted for sites directly opposite at Parkers Nurseries (3 dwellings) and at Rose Farm (2 dwellings).

Thorpe le Soken is a large village which is classed as a key rural settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This approach is evident within recent decisions such as on the land off Landermere Road and very decent appeal decision for St. Michaels Road

The village has a range of full services within the settlement including shops, post office and two public houses which are situated in the centre of the village. The village is also served by a regular bus routes. Within the immediate vicinity of the site is a bus stop which provides routes to Clacton-on-Sea, Harwich as well as Colchester. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

The site therefore forms a logical small development site on the edge of a settlement which will contribute towards the housing supply in the area and therefore permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits. The principle of development is therefore considered to be acceptable.

The proposal needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. The scheme is considered to be in a sustainable location with facilities and services such as shops, public house, take-aways, sports and community facilities are within walking distance and a comfortable distance where they can be cycled to. The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

In the context of the existing frontage housing along Frinton Road, the scheme will represent a continuation of the existing linear development, the allocation of this site will not extend development beyond the public perception of the village limits in the locality. As such it will not be detrimental to the character and appearance of the surrounding countryside.

On the basis of the above, it is considered that the site is within a location where future occupiers would have access to local community and social facilities as well as access to employment opportunities through public transport links. The site is therefore considered to be a sustainable location for growth as it performs extremely well against the three tests for sustainability as set out in paragraph 7 of the NPPF. As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.





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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Stobbs"/>
Organisation (Where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
Address Line 3	<input type="text" value="Colchester"/>
Post Code	<input type="text" value="CO4 9HU"/>
E-mail Address	<input type="text" value="plg@stanfords-colcheste"/>
Telephone Number	<input type="text" value="01206 879225"/>

## PART B

# REPRESENTATION FORM

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**Enter your full representation here:**

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Amend settlement boundary

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**Colchester: Return by 5pm 11th August 2017**

The site shown on the attached plan should be considered as suitable for residential development. Planning permission has recently been granted for sites directly adjacent (5 dwellings) and further to the north along Golden Lane (1 dwellings).

Thorpe le Soken is a large village which is classed as a key rural settlement. As such the settlement is considered to be capable of accommodating a modest amount of sustainable housing growth. This approach is evident within recent decisions such as on the land off Landermere Road and very recent appeal decision for St. Michaels Road. This site is within an enclave known as Thorpe Green, which was included within its own settlement boundary as shown on the 2012 and 2014 draft local plans.

The village has a range of full services within the settlement including shops, post office and two public houses which are situated in the centre of the village. The village is also served by a regular bus routes. Within the immediate vicinity of the site is a bus stop which provides routes to Clacton-on-Sea, Harwich as well as Colchester. The local train station in Thorpe-le-Soken also provide sustainable transport routes to larger towns and cities such as Colchester and London Liverpool Street (via Colchester) and smaller towns such as Frinton-on-Sea. It is therefore considered to be a sustainable location for development.

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Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (If applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Grys"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
Address Line 2	<input type="text" value="Wyncolls Road"/>
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Post Code	<input type="text" value="CO4 9HU"/>
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# PART B

# REPRESENTATION FORM

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**Enter your full representation here:**

See attached

*Continue onto next page*

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**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Deleta site

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**Colchester: Return by 5pm 11th August 2017**

**The allocation of site MSA1 is considered to be contrary to policy PP6 while removing a source of employment land within the centre of this village. There is no evidence that the Council has made any attempt to market the building and to seek alternative commercial uses in accord with the criteria set out within Policy PP6. As such, the allocation is premature and inconsistent with the overarching policies of sustainable development.**



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### 1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text"/>
Last Name	<input type="text" value="Sawyer"/>
Organisation <i>(Where relevant)</i>	<input type="text"/>
Address Line 1	<input type="text" value="c/o agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
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Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Peter"/>
Last Name	<input type="text" value="Le Gry"/>
Organisation	<input type="text" value="Stanfords"/>
Address Line 1	<input type="text" value="Livestock Market"/>
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**Colchester: Return by 5pm 11th August 2017**

## **Hamilton Road, Great Holland**

Great Holland has been accepted on appeal as a sustainable village. The village is able to accept further development that would be socially and environmentally appropriate.

The site shown on the attached plan affecting land off Hamilton Road, Great Holland would meet the three tests of sustainability as set out in the NPPF. This land is not used for agricultural purposes but forms part of a paddock and stables. By allowing development on this site, an appropriate and reasonable level of development could be provided to help sustain and improve local services without affecting the rural character of the area. The site is within walking distance of local services and will be in keeping with the pattern of development elsewhere along the road. This proposal would also enable the removal of the existing buildings thereby improving the character and appearance of the site which adjoins the open countryside to the north.

The site was originally included within the Draft Local Plan submissions 2012 as being a site suitable for housing. Access is currently available into the site and is used on a daily basis. Concern was raised towards the means of access on to Kirby Road. However, suitable access is available from Westbury Road where there are no concerns in terms of the junction arrangement or visibility splays. The development would not necessitate the removal of any trees or hedgerow.

At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development and advises local planning authorities should follow this approach and encourage the effective use of land, providing that it is not of high environmental value.

The scheme is considered to be in a sustainable location as the development is situated close to the defined development boundary for the village. Great Holland is further identified by the Council as being a settlement where some development can take place. It is therefore considered by the Council to be a sustainable location for growth to support the vitality and vibrancy of the rural area.

Not only has the Council extended the settlement boundary through the grant of planning permission for the development of greenfield plots within the area, including at 'The Paddocks' Kirby Road which was granted in June 2013 (ref 13/00417/FUL), and a plot adjacent to Holland House, Kirby Road granted in August 2014 (reference 14/00540/FUL), planning permission has recently been granted on appeal for the development of two dwellings outside but

immediately adjacent to the village development limits on land adjacent the Lion's Den PH and for three dwellings at Larges Farm, Rectory Road. Each of these sites have similar characteristics to the current proposal.

As detailed above, the village has a number of amenities in close proximity to the site. These include a public house, community hall, church hall, children's play area and farm shop while there is also a business park and motor repair garage. The tenancy of the village shop and convenience store has unfortunately altered, with the incumbents deciding to close their business. However, it is understood the shop may re-open at a future date.

There are five separate bus services that operate along Rectory Road by three different operators, namely No's 7, 8, 9, 704 and 784. The latter is operated by National Express and provides a twice daily direct service to Central London. There are a total of 57 bus journeys occur each working day in each direction, connecting the site with Clacton-on-Sea, Frinton-on-Sea, Essex University and Colchester town centre.

Great Holland is located less than 1500m to the south of Kirby Cross with its full range of shops, restaurants, doctors surgery, village hall, community centre and primary school amongst the many other attractions. Moreover, Kirby Cross railway station provides frequent direct rail links into London Liverpool Street, Colchester and Frinton-on-Sea. Adjacent to the station is also an extensive industrial estate providing considerable local employment. It can therefore only be concluded that the site is situated within a sustainable location.

The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

As a result the scheme would meet the comments set out within paragraph 14 of the NPPF in respect of a positive opportunity to meet the development needs of the area. Moreover, the allocation of this site would accord with the core planning principles as set out within paragraph 17 by ensuring the scheme enhances and improves the place in which people live their lives. The proposal is not only sustainable, it is deliverable as required by paragraphs 47 & 49 of the NPPF.



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For internal Use only	ID:	Rep No:	

## Draft Local Plan

# RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Hopkins Homes Limited"/>
Address Line 1	<input type="text" value="C/o Agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Geoff"/>
Last Name	<input type="text" value="Armstrong"/>
Organisation	<input type="text" value="Armstrong Rigg Planning"/>
Address Line 1	<input type="text" value="The Exchange"/>
Address Line 2	<input type="text" value="Colworth Science Park"/>
Address Line 3	<input type="text" value="Sharnbrook, Bedford"/>
Post Code	<input type="text" value="MK44 1LQ"/>
E-mail Address	<input type="text" value="geoff.armstrong@arplanning.co.uk"/>
Telephone Number	<input type="text" value="01234 867135"/>

# PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

Section 1: Policies SP3, SP7 and SP8  
Section 2: Policies SAH3, LP1 and Section 2 – Vision and Objectives

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

Please see cover letter

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

Please see cover letter

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Please see cover letter

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

To ensure points raised are adequately discussed.

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

**(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)**

**Colchester: Return by 5pm 11th August 2017**

Ref: GA/DJ/01017/L0001

***Sent by email to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)***

27 July 2017

Simon Meecham  
Planning Policy  
Tendring District Council  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ

Dear Mr Meecham

**Representations to Tendring District Council Publication Draft Local Plan Consultation  
Robinson Road, Brightlingsea on behalf of Hopkins Homes Limited**

On behalf of our client Hopkins Homes Limited we wish to make representations to the current Tendring District Council Publication Draft Local Plan Consultation.

Previous representations were made directly by Hopkins Homes to the Tendring District Local Plan – Preferred Options 2016 Consultation in September 2016. These representations supported the emerging policy map for Brightlingsea (Map 9), which showed Hopkins Homes' site at Robinson Road, Brightlingsea as a preferred housing allocation, but raised concern regarding: the classification of Brightlingsea as part of the rural heartland as opposed to a seaside town; and the reliance solely on additional housing growth at Weeley in the scenario that 600 homes a year as opposed to 550 were needed.

**Robinson Road, Brightlingsea – *Support Policy SAH3 with small change requested***

Hopkins Homes support the allocation of land at Robinson Road, Brightlingsea and are pleased to confirm that this land is deliverable for residential development in the short-term over the next 5 years. Hopkins Homes are nearing completion on their highly regarded development at Robinson Road for 77 dwellings (approved by application reference 13/01470/FUL) and the proposed allocation would form a natural second phase to this development. Following a positive pre-application response from Tendring District Council in August 2016 (reference 16/30056/PREAPP) and positive discussions with Brightlingsea Town Council, a planning application for 115 dwellings is currently being finalised for the site for submission at the end of July 2017.

The only element of **Policy SAH3** that we wish to raise concern over is the wording of point which requires the allocation to provide at least 115 new homes. This wording places an unduly strict minimum level of development on the site. As outlined, the forthcoming planning application on the site proposes 115 dwellings. This would meet the emerging policy requirement, but it does not leave a lot a room for flexibility during the consideration of the

application should the Council wish to see any changes to the proposals that would necessitate changes to the layout or mix of housing proposed. A more positively worded policy requirement would be for the site to provide approximately 115 new homes. We therefore request that the wording of point a. is re-worded as follows:

“a. ~~at least~~ approximately 115 new homes of a mixed size and type to include affordable housing as per the Council’s requirements”

### **Housing Need – *Objection to Policies SP3 and LP1***

We object to the housing requirement for Tendring District set-out at **Policy SP3 – Meeting Housing Needs** and **Policy LP 1 – Housing Supply**. These policies set the Objectively Assessed Housing Need (OAHN) for Tendring District as 11,000 new homes (550 per annum) between 1<sup>st</sup> April 2013 and 31<sup>st</sup> March 2033, but on further investigation of the method used to calculate this OAHN it is clear that the figure should actually be 15,520 new homes (776 per annum) during this period.

We fundamentally disagree with the Council’s decision to reduce the starting point for calculating Tendring’s OAHN based on Unattributable Population Change (UPC) between the 2001-2011 censuses. We understand that official population projections between 2001 and 2011 overestimated the actual population growth in the district, but in light of the Office for National Statistics decision to not make any adjustment to the 2012 or 2014-based Sub-National Population Projections (SNPP) to account for UPC (since it could not be demonstrated that UPC measured a bias in the trend data that will continue in the future), we consider the Council’s approach wholly unjustified. In reducing the starting point for their OAHN based on UPC, the Council ignores the Government’s official published projections in the 2014 SNPP of 675 dwellings per annum, which accounting for the 15% uplift applied by the Council to populations projections gives an OAHN of 776 dwellings per annum or 15,520 dwellings across the plan period.

Given that the plan period for the emerging Tendring Local Plan continues to 2033 and planning policy requires regular reviews of this plan, it is considered that there is no reason not to use the SNPP for calculating OAHN. The next Census will take place in 2021 and if this reveals a lower level of population growth than that contained in the 2014 SNPP, then future reviews of the plan can take account of this. At this stage, not using the SNPP as the OAHN starting point risks severely underestimating the housing need in the district and would lead to a significant undersupply in housing of over 4,500 dwellings.

Policy SP3 and Policy LP1 should therefore be amended to require 15,520 new homes in Tendring District over the plan period, or 776 new homes per annum, and additional sites should be found to accommodate this housing growth.

### **Housing Supply – *Objection to Policies SP7, SP8 and LP1***

We wish to raise concern regarding the level of housing supply the Council is predicting to come from the Tendring Colchester Borders Garden Community by 2033.

**Policy SP7 – Garden Communities** and **Policy SP8 Tendring Colchester Borders Garden Community** identify the proposed Tendring Colchester Borders Garden Community as delivering 2,500 new homes within the plan period (as part of an overall total of between 7,000-9,000 homes to be delivered beyond 2033) and **Policy LP1 – Housing Supply** identifies that 1,250 of these new homes will be delivered in Tendring (with the remaining 1,250 coming forward in Colchester).

The supporting text to Policy SP7 states at that Development Plan Documents (DPD) will be developed for each of the 3 new garden communities planned in North Essex and Policy SP8 states that a Strategic Growth DPD will set out the nature, form and boundary of the new community, together with a phasing and implementation strategy to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. The DPD will provide the framework for the subsequent development of more detailed masterplans and other design and planning guidance.

The Council's current Local Development Scheme (LDS, January 2017) predicts that the Local Plan will be adopted in September 2018 and that following this the Tendring Colchester Borders Garden Community Strategic Growth Development Plan Document (DPD) will be adopted in March 2019. No details of the proposed DPD are currently in the public domain and the first planned consultation (Preferred Options) is planned for October 2017. Following this it is planned that a publication version will be published in June 2018 ahead of submission in October 2018, examination will take place between October 2018 and February 2019 and adoption will be in March 2019. This is a very tight timescale for the production of any development plan document, not least a document for which the boundaries of the proposed settlement have not yet been finalised and which has to agree a phasing and implementation strategy for 9,000 new homes across two local authority areas.

In the context of the unrealistic policy development timeline for the Tendring Colchester Borders Garden Community, it recommended that the predicted delivery rates are reduced accordingly. A more realistic timescale for the development of the DPD is considered to be adoption by mid-2020. Following this, the project would need to secure planning permission before it starts to deliver housing. A recent report from Lichfields (<http://lichfields.uk/media/1728/start-to-finish.pdf>) identifies that the average period from the submission of a planning application to the start of delivery is 6.9 years (6.1 years for approval and 0.8 years between approval and start on site for discharge of conditions) for schemes of 2,000+ dwellings following which the average annual build out rate is 161 dwellings. Based on the above, the scheme is predicted to deliver the following numbers during the plan period:

Year	Delivery
2020	Adoption of DPD
2021	Planning Application
2022	Planning Application
2023	Planning Application
2024	Planning Application
2025	Planning Application
2026	Planning Consent
2027	Conditions Discharge + delivery of 81 dwellings
2028	161 dwellings
2029	161 dwellings
2030	161 dwellings
2031	161 dwellings
2032	161 dwellings
2033	161 dwellings
<b>Total</b>	<b>1,047 dwellings</b>

The above figure is far below the Local Plan's predicted delivery of 2,500 dwellings during the plan period and would result in just over 500 dwellings to contribute to Tendring's housing supply against a prediction of 1,250. **Policies SP7** and **SP8** should therefore be amended to identify a predicted delivery of 1,000 homes from the Tendring Colchester Borders Garden Community during the plan period and **Policy LP1** should be amended to identify a delivery of 500 homes in Tendring.

It is clear from the above that there will be a need for several hundred new homes to be planned for in Tendring's emerging Local Plan as a result of overly ambitious housing supply forecasts at the Tendring Colchester Borders Garden Community. This is in addition to the additional homes needed as a result of the currently far too low OAHN.

### **Seaside Towns – *Objection to Vision for Tendring District***

We are concerned that Hopkins Homes' previous representations regarding the classification of Brightlingsea as part of the rural heartland as opposed to a seaside town have been ignored. Not only is Brightlingsea clearly a

seaside town with its long history as a port and its role as a popular tourist and recreation destination. It is comparable in size to the seaside towns of Jaywick Sands, Walton on the Naze and Frinton-on-Sea that are recognised as such in the emerging Local Plan and it shares many of the same opportunities and threats facing these other seaside towns in the district such as a need for regeneration and investment in the town centre and recreational/tourist facilities.

The policy approach to seaside towns and the rural heartland is contained in the **Vision and Objectives** part of the plan at **Section 2**. The Vision states that towns in the rural heartland will see modest levels of new housing and employment development to support local shops and services, address local issues, provide for local needs and facilitate investment by local businesses in job opportunities. The vision for seaside towns, however, is much more positive and includes a specific vision for each town setting out how the Council will seek to regenerate the area through additional housing development and a focus on improving town centres and recreational/tourist facilities.

It is clear that there is a need for such a positive vision to be developed for Brightlingsea and other comparably sized towns in the district, such as Manningtree, Lawford and Mistley, alongside a strategy for how development can be the catalyst for positive change. In the context of the above identified additional housing need and shortfall in supply, we consider there to be a unique opportunity to develop a new **Vision for Tendring District** that recognises the opportunities and threats facing the district's towns that have not been classified as 'seaside towns' (e.g. Brightlingsea and Manningtree, Lawford and Mistley) and most importantly the opportunity to use well planned residential development to deliver much needed regeneration and investment.

We trust that these comments will be given the due consideration and look forward to participating further as the Local Plan preparation progresses. Should you have any further queries or questions then please do not hesitate to contact either myself or my colleague David Jones.

Yours sincerely

Geoff Armstrong ([geoff.armstrong@arplanning.co.uk](mailto:geoff.armstrong@arplanning.co.uk))

**Director**

**Armstrong Rigg Planning**

Tel: 01234 867135

For internal Use only	ID:		Rep No:	

## Draft Local Plan

# RESPONSE FORM

Responses are encouraged via the council's online consultation system available on the website, see <http://tendring-consult.objective.co.uk/portal> However, this form can be returned electronically to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk) or in hard copy if necessary to:

Planning Policy, Tendring District Council, Thorpe Road, Weeley, Essex, CO16 9AJ  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
 Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation (Where relevant)	Hopkins Homes Limited, Jackie Dorrington Ward, Karen Rose and Peter Rose
Address Line 1	C/o Agent
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	Mr
First Name	Geoff
Last Name	Armstrong
Organisation	Armstrong Rigg Planning
Address Line 1	The Exchange
Address Line 2	Colworth Science Park
Address Line 3	Sharnbrook, Bedford
Post Code	MK44 1LQ
E-mail Address	geoff.armstrong@arplanning.co.uk
Telephone Number	01234 867135

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

Policy SPL2 – Settlement Development Boundaries  
Map for Manningtree, Lawford and Mistley

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

Please see cover letter

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

Please see cover letter

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

Please see cover letter

**Do you wish to participate at the oral part of the examination?**

Yes  No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes  No

**If yes which stage**

Issues and Options  Preferred Options

**Do you wish to be notified?**

When the document is submitted for independent examination?

When the Inspectors Report is published?

When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**

**(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)**

**Colchester: Return by 5pm 11th August 2017**

Ref: GA/DJ/04417/L0001

***Sent by email to [planning.policy@tendringdc.gov.uk](mailto:planning.policy@tendringdc.gov.uk)***

27 July 2017

Simon Meecham  
Planning Policy  
Tendring District Council  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ

Dear Mr Meecham

**Representations to Tendring District Council Publication Draft Local Plan Consultation  
Land South of Harwich Road, Mistley**

We wish to make representations to the current Tendring District Council Publication Draft Local Plan Consultation to promote land south of Harwich Road, Mistley ('the site') for allocation for residential development. These representations are made on behalf of our client Hopkins Homes Limited and the owners of the site, Jackie Dorrington Ward, Karen Rose and Peter Rose.

We object to **Policy SPL2 – Settlement Development Boundaries** and the **Map for Manningtree, Lawford and Mistley** which exclude the site from Mistley's settlement development boundary. As is demonstrated in this letter the site presents a uniquely sustainable option for helping to meet the district's housing need and the plan should therefore be revised to include it as an allocation for residential development.

In addition to these representations, we have made additional representations on behalf of Hopkins Homes (Our Ref: GA/DJ/01017/L0001) which contain detailed objections to the emerging Local Plan's identified housing need (**Policies SP3 and LP1**), the level of housing supply that is predicted to be delivered at the Tendring Colchester Borders Garden Community (**Policies SP7, SP8 and LP1**) and the plans **Vision for Tendring District**. It is not necessary to repeat the representations in this letter, but it is worth highlighting their key conclusions:

- Tendring's Objectively Assessment Housing Need (OAHN) has been incorrectly calculated as 11,000 new homes (550 per annum), but based on the 2014 Sub-National Population Projections it should be 15,520 (776 per annum), leaving an additional 4,520 new homes still to plan for in the emerging Local Plan;
- The predicted delivery from the Tendring Colchester Borders Garden Community of 2,500 new homes (1,250 in Tendring and 1,250 in Colchester) during the plan period is far too optimistic. Based on industry averages the Council can only realistically expect 1,000 homes (500 in Tendring and 500 in Colchester)

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The Exchange, Colworth Science Park, Sharnbrook, Bedford, MK44 1LQ.

to be delivered on this site during the plan period leaving a further shortfall of 750 additional new homes to plan for in the emerging Local Plan; and

- The plans Vision for Tendring District fails to place enough emphasis on the role of the towns not identified as 'seaside towns' in meeting the districts housing need. These towns, such as Brightlingsea and Manningtree, Lawford and Mistley need a similarly positive vision to that prepared for the so called "seaside towns" that recognises the opportunities and threats they face and most importantly makes the most of the clear opportunity to use well planned residential development to deliver much needed regeneration and investment in the towns.

In the context of the above, it is clear that there is a critical need for the emerging Local Plan to consider additional housing allocations in order to plan for the currently unmet need. In this context land south of Harwich Road represents a uniquely sustainable location for development.

The site (see Location Plan at Appendix 1) comprises approximately 6ha of land located to the south of a site with outline planning permission (Ref: 15/01520/OUT) for 135 dwellings off Harwich Road and which is currently subject to a reserved matters application by Hopkins Homes for 135 dwellings (Ref: 17/00943/DETAIL). It comprises arable agricultural land across the southern part of two fields that are the subject of the existing outline consent above. It is located at the eastern end of Mistley to the south of Harwich Road and the existing post-war housing development at Rigby Avenue and to the west of Heath Road.

There is a public right of way crossing part of the site along the current field boundary that provides a link between Rigby Avenue and the Essex Way which follows the field's southern boundary. Other than this footpath, there are no environmental or planning designations on the site and the site is in Flood Zone 1 (i.e. low risk). In the Council's committee report for the outline consent to the north of the site, they confirm that:

*"Because Mistley forms part of the wider Manningtree, Lawford and Mistley urban settlement as defined in the Local Plan, residential development in this location has the potential to be sustainable with reasonable access to a range of local job opportunities, shops, services, facilities and public transport compared with more remote rural villages."*

Officers also confirmed that with a suitable landscaping scheme, visual impacts from developing agricultural land can be mitigated and that the proposals would not result in significant recreational disturbance to habitats at the internationally important Stour Estuary and locally important Furze Hill Wood due to the proposed recreational areas and connections with the countryside that the development would provide. The site itself, which is part of the same fields as the currently promoted site, was also confirmed to be of limited value in ecological terms.

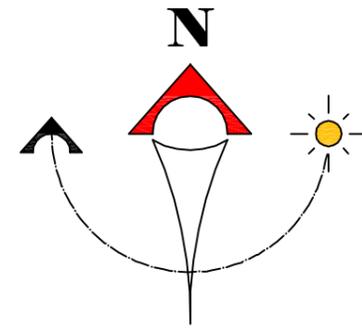
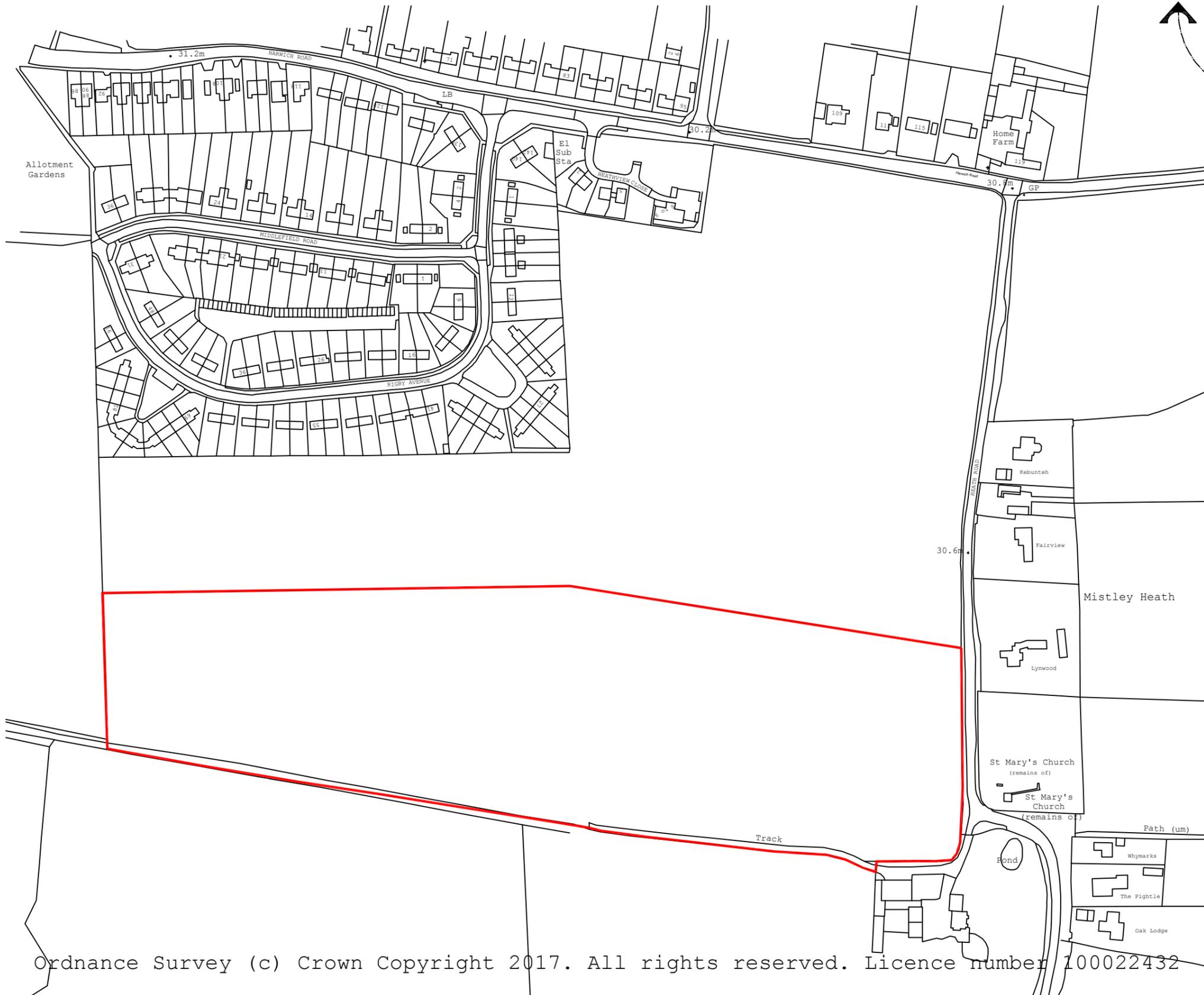
Land south of Harwich Road is clearly a sustainable option that would help meet Tendring District Council's need to find additional housing sites for inclusion in the emerging Local Plan. It is a 'quick-win' in respect of the fact that it is being promoted by Hopkins Homes who already have outline planning permission on their site to the north and we are pleased to confirm that it is considered deliverable for 120 dwelling between 2021 and 2025.

We trust that these comments will be given the due consideration and look forward to participating further as the Local Plan preparation progresses. Should you have any further queries or questions then please do not hesitate to contact either myself or my colleague David Jones.

Yours sincerely

Geoff Armstrong ([geoff.armstrong@arplanning.co.uk](mailto:geoff.armstrong@arplanning.co.uk))  
**Director, Armstrong Rigg Planning**  
Tel: 01234 867135

**APPENDIX 1 – SITE LOCATION PLAN – LAND SOUTH OF HARWICH ROAD, MISTLEY**



Notes:  
Do not scale from this drawing to ascertain dimensions.  
Copyright for all designs and drawings shall remain with Hopkins Homes in accordance with the Copyright ct.

Rev.	Date	Details

Project: Harwich Road, Mistley	Project No: MIS1
	Dwg No: 002
Drawing: Option Plan	Scale: 1:2500 @ A3
Plot Numbers: -	Drawn By: Date: LS 02/2017
	Checked By: Date: -

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**HOPKINS HOMES**  
MELTON PK HOUSE,  
MELTON, WOODBRIDGE,  
SUFFOLK IP12 1TJ  
TEL: 01394 446800. FX: 01394 389605.

# GUIDANCE NOTES

## & RESPONSE FORM

to accompany the Publication Draft Local Plan (2017)

**Please read these guidance notes before completing the response form**

### Introduction

Braintree District Council, Tendring District Council and Colchester Borough Council, have each published their own Publication Draft Local Plan for consultation. Section 1 is common to each plan. This response form can be used to respond to any part of the 3 Plans. It is important to specify which.

The 3 Plans have been published in order for representations to be made prior to submission of the documents to the Planning Inspectorate for examination. All representations will be examined by a Planning Inspector. The purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

**Each Local Plan has two parts:**

**Publication Draft Local Plan Section 1** - A set of strategic policies constructed in partnership between the three authorities and Essex

County Council. This means that the Section 1 policies are intended to apply across all three Local Authorities. These policies include those relating to Garden Communities, housing supply, employment, shopping and the environment. You can send your response to any one of the authorities as all responses to Section 1 will be collated. Only 1 response to the 3 authorities is required.

**Publication Draft Local Plan Section 2** - relates to the specific district, contains more detailed policies and is used to determine planning applications. If you wish to comment on the Braintree Publication Draft Local Plan Section 2 you should send your comments to Braintree District Council.

If you would like assistance in completing your representation or have any other questions about the Publication Draft Local Plan please contact the Planning Policy Team by email [planningpolicy@braintree.gov.uk](mailto:planningpolicy@braintree.gov.uk) or by phone on 01376 552525 and ask for Planning Policy.

## Part A - Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the Council's websites and included as part of the Publication Draft Local Plan submissions to the Inspector. Address and contact details will be removed from published responses. (Village/town shown).

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory.

Please supply an email address if you have one as it will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the plan. If you do not wish to be contacted in this way please state this clearly on the form.

If an agent or consultant has been engaged to act on your behalf please fill in both sets of details in full. Correspondence will be sent to the agent. If you are a landowner with an agent acting on your behalf, please ensure that your agent knows the site name and reference number which your site has been given.

## Part B - Representation

Please specify which section of the Publication Draft Local Plan your comments relate to, by choosing one of the following;

**Section 1** A response to this section will be reported to all 3 authorities.

**Section 2 Colchester**  
**Section 2 Tendring**  
**Section 2 Braintree** } These plans are specific to each authority.

Which part of the plan are you responding to (please use one form per submission):

**Paragraph:** for a representation on wording or paragraph content

**Policy:** for a representation on the wording or inclusion or omission of a policy

**Other:** for example a map inset number, site reference or the wording or content of tables or appendices

## Legal Compliance and Duty to Co-operate

If commenting on how the Publication Draft Local Plan has been prepared, it is likely that your comments will relate to a matter of legal compliance.

The Inspector will check that the Plan meets the legal requirements

You should consider the following before making a representation on legal compliance:

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.
- The process of community involvement for the Plan in question should be in general accordance with the Statement of Community Involvement (SCI).
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations; making them available on its website and at its principal offices. It must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The LPA must provide a Sustainability Appraisal Report. This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.
- LPAs will be expected to provide evidence of how they have complied with the Duty to Co-operate.
- Non-compliance with the duty to cooperate cannot be rectified after the Plan's submission. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

## Soundness

Soundness is explained in National Planning Policy Framework (NPPF) paragraph 182. The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

More details and further guidance on what is meant by the term 'soundness' can be found below and at; [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Positively prepared

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

### Justified

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.

### Effective

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning and no regulatory or national planning barriers. It should be flexible to changing circumstances

### Consistent with national policy

The Plan should be consistent with national policy. Departure must be clearly justified.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered, how is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

Using the spaces provided please give details of why you think the Publication Draft Local Plan is not 'sound' having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the Plan should be modified. **If your representation is over 100 words please include a summary of its main points in the box provided.**

It will be helpful if you also say precisely **how** you think the Plan should be modified. Representations should cover succinctly all information, evidence and supporting information necessary to support/justify the representation and suggested modification, as there will not normally be a further opportunity to make submissions based on the original representation made at publication.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

All the formal representations received during this stage will be submitted to and considered by the appointed independent Planning Inspector at the public examination on the Plan. The process is likely to include public hearings. The Inspector will determine the most appropriate procedure to adopt to hear those who choose to participate at this stage. If you would like to appear and speak at the hearings, please state this and explain in the space provided why you consider it is necessary that you participate.

Representations can be sent:

- Via the Council's online consultation portal: [www.braintree.gov.uk/publicationdraftLP](http://www.braintree.gov.uk/publicationdraftLP)
- Via a representation form which can be downloaded from the website and returned via email to [localplan@braintree.gov.uk](mailto:localplan@braintree.gov.uk)
- or by post to:  
**Planning Policy,  
Braintree District Council  
Causeway House  
Braintree  
CM7 9HB**

For internal Use only	ID:	Rep No:	

# Draft Local Plan RESPONSE FORM

Responses are encouraged via the council’s online consultation system available on the website, see [www.braintree.gov.uk/newlp](http://www.braintree.gov.uk/newlp) However, this form can be returned electronically to **localplan@braintree.gov.uk** or in hard copy if necessary to:

Planning Policy, Braintree district Council, Causeway House, Bocking End, braintree, CM7 9HB  
**The consultation runs from 9am Friday, 16th June to 5pm on Friday, 28th July 2017**

This form has two parts:  
Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title

First Name

Last Name

Organisation  
*(Where relevant)*

Address Line 1

Address Line 2

Address Line 3

Post Code

E-mail Address

Telephone Number

### 2. Agent’s Details (if applicable)

Title

First Name

Last Name

Organisation

Address Line 1

Address Line 2

Address Line 3

Post Code

E-mail Address

Telephone Number

## PART B

# REPRESENTATION FORM

**Please Note:** If your representation relates to Section One of the North Essex Strategic Plan / Garden Communities you only need to respond to one of the Local Authorities. All representations received by Braintree, Colchester and Tendring relating to Section One of the Plan(s) will be submitted together.

You do not need to return this form if you have completed a response using any of the Council's online systems for this consultation. Duplicates will not be considered

**Please specify which section of the Publication Draft Local Plan your comments relate to by choosing one of the following:**

Section 1     Section 2 Colchester     Section 2 Tendring     Section 2 Braintree

**Which part of the section are you responding to?**

e.g. Paragraph/Policy/Map/Other

**Do you consider the Local Plan is Legally compliant?**

Yes     No

**Does it comply with the Duty to Co-operate?**

Yes     No

**Do you consider the Local Plan is Sound?**

Yes     No

**If you do not consider the Local Plan is sound, please specify on what grounds:**

Positively prepared     Justified     Effective     Consistent with National Policy

**Enter your full representation here:**

*Continue onto next page*

**If your representation is more than 100 words, please provide a brief summary here:**

**Please specify the changes needed to be made to make the Plan sound / legally compliant**

**Do you wish to participate at the oral part of the examination?**

Yes     No

**If Yes - you wish to participate at the oral part of the examination, please outline why you consider this to be necessary**

**Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.**

**Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the Local Plan**

Yes     No

**If yes which stage**

Issues and Options     Preferred Options

**Do you wish to be notified?**

- When the document is submitted for independent examination?
- When the Inspectors Report is published?
- When document is adopted?

**Braintree & Tendring: Return by 5pm 28th July 2017**  
(responses to section 2 Braintree and Tendring will not be accepted after this date. After this date responses to Section 1 should be sent to Colchester Borough Council)

**Colchester: Return by 5pm 11th August 2017**

## Representations Tendring District Publication (Regulation 19) Draft Local Plan

Our reference: SP-SMT-CL26

By Strutt & Parker LLP on behalf of the St Monica's Trust

Land west of Cherry Tree Avenue, Clacton

### Background and overview

1. This statement accompanies the representations submitted by Strutt & Parker LLP on behalf of St Monica's Trust in respect of the Tendring District Publication (Regulation 19) Draft Local Plan (PDLP) and the site to the west of Clacton as shown on the accompanying plan (**Appendix 1**), also referred to as Land west of Cherry Tree Avenue, Clacton through Tendring District Council's plan-making process.
2. The site has been actively promoted for residential development through the Local Plan process, with representations made in response to the Council's call for site and, most recently, to consultation on the previous iteration of the Local Plan – the Tendring District Draft Local Plan (2016) (Regulation 18).
3. Land west of Cherry Tree Avenue, Clacton is considered to be in a sustainable and deliverable location to help meet the District's development needs. However, as currently worded, the Local Plan does not propose the allocation of the site for development. Instead it is shown for allocation as part of a Strategic Green Gap. It is considered such an approach is not justified and results in a Local Plan which is not positively prepared. Accordingly, the PDLP as currently drafted is unsound.
4. The rejection of the site is considered particularly problematic vis-à-vis the soundness of the Local Plan, given that the PDLP as currently worded is not considered to plan positively to ensure the objectively assessed needs of the District are met in full. This issue, in itself, renders the Local Plan unsound and must be rectified.
5. Allocation of Land west of Cherry Tree Avenue, Clacton can help address this issue of soundness.

## **Policy SP2 - soundness**

6. The NPPF is clear that Local Plans should seek to meet objectively assessed development needs (including housing needs) in full. It is one of the express requirements, set out in the NPPF at paragraph 182, of a sound Local Plan.
7. Further, the NPPF attaches great importance to the need for planning to significantly boost housing land supply, with this being emphasised – for example – at paragraph 47.
8. Policy SP2 of the PDLP states that the Local Plan will seek to deliver a minimum of 11,000 new homes between 2013 and 2033 in Tendring District. This figure is predicated on there being an objectively assessed housing need for the District over this period equating to 550 dwellings per annum.
9. The concept that the Local Plan should be based on a strategy which treat objectively assessed housing need as a minimum figure to be met over the plan period is supported, as national policy makes clear that this is a requirement of a sound Local Plan.
10. However, the identification of 550 dwellings per annum as the objectively assessed need for the period 2013-2033 is not supported.
11. It is considered that the Local Plan and its supporting evidence fails to demonstrate the need is as low as this, and that in fact the objectively assessed housing need is greater than 550 dwellings per annum. Indeed, we are aware that other representations on the PDLP suggest that the actual need is considerably higher.
12. The PDLP explains (paragraph 5.1.3) that the figure of 550 dwellings per annum is taken from the Objectively Assesses Housing Needs Study that was produced for Colchester Borough Council, Braintree District Council and Chelmsford City Council in 2015, and most recently updated in November 2016.
13. The November 2016 study (the OAHNS 2016) confirms at paragraph 8.35 that a range of between 500 and 600 dwellings per annum was identified as being the objectively assessed need for Tendring District.

14. Given that the NPPF calls for the full, objectively assessed housing needs for market and affordable housing to be met, where an objectively assessed housing need range has been identified as being between 500 and 600, it is considered that 600 should be used for the purposes of plan-making. This is necessary to ensure the Local Plan is consistent with national policy and positively prepared.
15. Of further concern is that the approach to calculating the objectively assessed need departs from Government guidance.
16. The starting point for determining objectively assessed needs, states the Planning Practice Guidance (PPG), is the sub-national household projections (SNHP) – the official projections published by the Department for Communities and Local Government. These official projections are the only statistically robust and entirely objective figures available.
17. Notwithstanding this guidance, the figure taken as the objectively assessed housing need for use in the PDLP has been derived from an alternative approach. The Council has identified an alternative ‘demographic starting point’, to which a market uplift has then been applied.
18. The alternative ‘demographic starting point’ identified by the Council is 480 dwellings per annum for the period 2013-2037. This is considerably lower than the starting point if one were to use the official projections, with the sub-national household projections suggesting 625 additional households per year in the District over the same time period.
19. Government guidance states that sensitivity testing may be applied to official projections to account for local circumstances.
20. However, in respect of Tendring District Council it is not the case that the official projections have been adjusted to reflect local circumstances; rather, the official projections have been disregarded.
21. Furthermore, the guidance makes clear that where adjustments are applied to official projections to account for local circumstances these must be justified and based on established sources of robust evidence. In the case of Tendring’s calculation, there is considerable uncertainty as to whether the figure of 480 dwellings per annum as a ‘demographic starting point’ (and consequently the objectively assessed need derived from

this) is robust. For example, within the OAHNS (2016) itself it is stated that the revised demographic starting point:

“Should be treated with **great caution** because the size of the UPC made all demographic analysis potentially **subject to large error**”. (Paragraph 8.34. Emphasis added).

And:

“**For now**, our analysis of the latest demographic data suggests that the correct ‘demographic starting point’ remains 480 dpa, with a **large potential error**.” (Paragraph 8.37. Emphasis added).

22. It is clear that there is substantial doubt as to whether the revised ‘demographic starting point’ of 480 dwellings is appropriate; and in any case this position may change.
23. Given this doubt, in the absence of an alternative figure, and having regard to Government guidance, the most appropriate figure to use as a starting point for the assessment of housing need would be 625 dwellings per annum as per the sub-national household projections.
24. Government guidance states that a record of under delivery may suppress household projections. In the case of Tendring District there has been a consistent record of under-delivery over a number of years, by the Council’s own admission. Annualised completions have often fallen considerably short of targets.
25. It should also be noted that Government guidance recognises that changes in house prices is a potential indicator of imbalance between housing need and supply. Tendring District has experienced a 70% increase in house prices between 2002 and 2012, as reported in the OAHNS (2016) – the joint highest increase in Essex.
26. Further to the above, it is considered that a market uplift should be applied to the official projections. Indeed, the Council has already acknowledged this by applying a market uplift to its revised ‘demographic starting point’ to determine objectively assessed housing need. As such, the objectively assessed housing need for which the Local Plan should provide a strategy to deliver is greater than 625 dwellings per annum.

27. For the reasons set out above, Policy SP2 fails to meet objectively assessed housing need. As a result, the policy as currently worded is not consistent with national planning policy and would not result in a Local Plan that is positively prepared. Objectively assessed housing need should be reviewed and calculated having regard to Government guidance and official projections.
28. Policy SP2 must be amended to seek to ensure this revised objectively assessed housing need if the Local Plan is to be sound.

#### **Land west of Cherry Tree Avenue, Clacton and its rejection for allocation**

29. The site adjoins the existing settlement of Clacton, on its western boundary.
30. As the largest urban area in the District, Clacton is considered well-placed to accommodate additional housing to meet the District's development needs. Clacton benefits from a range of services, facilities and employment opportunities; in addition to sustainable transport links (including bus and rail) to other centres.
31. The PDLP recognises that Clacton is a sustainable location for housing growth. It identifies Clacton as being at the top of the District's settlement hierarchy, and proposes that Clacton should accommodate a proportion of the District's housing need.
32. Land west of Cherry Tree Avenue measures approximately 15 hectares and is agricultural land.
33. The boundaries of the site are demarcated by existing residential development to the north and north-east; and by planting to the west, south and south-east. The eastern boundary of the site is formed by Cherry Tree Avenue, beyond which lies a substantial residential area extending towards the town centre.
34. The site provides a sustainable and deliverable location for the expansion of the existing settlement. Land west of Cherry Tree Avenue is well-located in respect of a range of facilities and services. Bus and train services are accessible from the site, providing access to a wider range of services, facilities and employment opportunities without reliance on use of the private car.

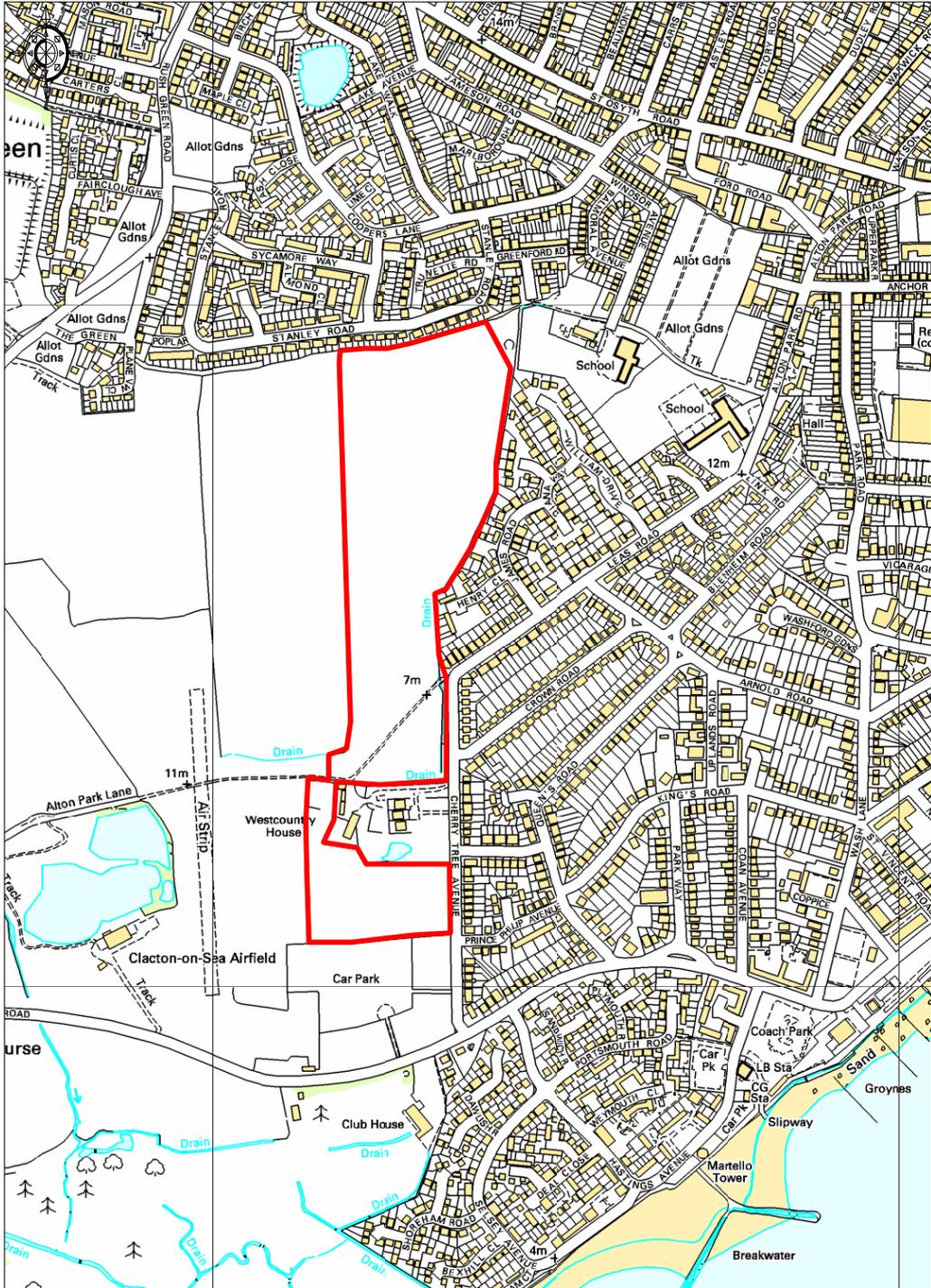
35. Although a greenfield site, it is not subject to any environmental, ecological or heritage designations which constrain its development. Land west of Cherry Tree Avenue is not subject to physical constraints that prohibit its development.
36. Development of the site would still enable the provision of a substantial green gap which would maintain the separation between Jaywick and Clacton. As such, its allocation would not undermine the objectives of the Local Plan in this respect.
37. It is important to recognise that Land west of Cherry Tree Avenue was considered for allocation through the Council's Replacement Local Plan (2007) process. Whilst ultimately it was not allocated, this was due to the lack of a need to allocate greenfield sites to meet development needs at that time. The Local Plan Inspector concluded in respect of Land west of Cherry Tree Avenue (paragraph 8.32.56 of the Tendring District Council Replacement Local Plan – Inspector's Report) that:
- “Given the sustainability criteria and the sequential approach to development, once brownfield sites have been developed this peripheral site should be considered for housing development”.
38. Evidently, circumstances have changed and greenfield land is required to be allocated to meet development needs, as confirmed through the PDLP and its evidence base. There has been no material change of circumstances in respect of Land west of Cherry Tree Avenue that mean it should no longer be considered a sustainable site for development. One important change, which is very much relevant to the consideration of this site, has been the introduction of the presumption in favour of sustainable development into national policy through the NPPF, since the 2007 Local Plan was considered.
39. The Environmental Assessment of Plans and Programmes Regulations (2004) require that all reasonable alternatives be considered and assessed to the same level of detail as the preferred approach; and that the reasons for the selection of preferred alternative, and the rejection of others, be made set out.

40. In addition, the NPPF requires Local Plans to be the most appropriate strategy, when considered against the reasonable alternatives (paragraph 182), and states that a sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process (paragraph 165).
41. Having regard to the above, it is clear that the decision to reject allocation of Land west of Cherry Tree Avenue is required to be justified, and should be informed by the findings of the SA/SEA that accompanies the PDLP.
42. The site has been assessed through the SA/SEA which accompanies the PDLP as site CL26.
43. The SA/SEA identifies that it will have a number of positive effects in relation to a number of sustainability objectives. Whilst it does also identify some negative impacts, it is far from clear how the Local Plan has concluded that these negatives outweigh the substantial benefits allocation of the site would engender; and why the Local Plan Inspector's conclusions in respect of the 2007 Replacement Local Plan no longer apply.

#### **Overview and suggested changes**

44. The PDLP is clearly contrary to national policy, given that it will not provide a five-year housing land supply once shortfall has been appropriately accounted for. In order to be sound, additional land must be allocated which can deliver housing.
45. Land west of Cherry Tree Avenue was considered to have merit for residential development in 2007, in the event that greenfield land were to be required to meet needs (as is currently the case). Land west of Cherry Tree has been assessed within the PDLP's supporting evidence base as having a number of positive effects in relation to sustainability objectives, and no reason for its rejection is given. Its rejection is unjustified and as such the Local Plan is unsound. Within the context of the PDLP currently failing to meet objectively assessed housing needs, the rejection of this sustainable and deliverable site is also considered to result in the Local Plan failing to be positively prepared, and unsound in this respect also.

# Land to the west of Clacton



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